United Nations A/59/611–S/2004/971

General Assembly
Security Council

Distr.: General
15 December 2004

Original: English

General Assembly
Fifty-ninth session
Agenda item 36
The situation in the Middle East

Security Council
Fifty-ninth year

Identical letters dated 15 December 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I have the honour to transmit herewith a summary of Israeli violations and acts of aggression against Lebanon from 23 November to 13 December 2004, inclusive.

These grave violations are part of a series of persistent and provocative Israeli violations of Lebanese territory, including air, sea and land, and intervene against the principles of international law, the resolutions of international legitimacy and the repeated calls of the United Nations for their cessation.

In view of these violations and the stepping-up of Israeli threats against Lebanon and the safety of its territory and its citizens, Lebanon relies upon the United Nations to deter and prevent Israel from indulging in such dangerous acts, which constitute a threat to international security and peace. Lebanon holds Israel fully responsible for any consequences to which those acts may lead.

In drawing your attention to the grave consequences of such acts, I request that this letter of compliant and its annex be circulated as a document of the General Assembly, under agenda item 36, and of the Security Council.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative

04-64864 (E) 161204

Annex to the identical letters dated 15 December 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

23 November 2004

Between 1755 and 1800 hours, an Israeli gunboat in Lebanese territorial waters off Ras-Naqoura fired a flare shell and several bursts of medium machine-gun fire on the open sea.

24 November 2004

At 0929 hours, an Israeli gunboat in Lebanese territorial waters off Ras-Naqoura fired several bursts of medium machine-gun fire on the open sea.

28 November 2004

At 1009 hours, Israeli occupation forces, positioned in Rweiset Alalam inside Chebaa farms, fired several bursts of medium machine-gun fire at the surroundings of this position.

At 1500 hours, an Israeli gunboat in Lebanese territorial waters off Ras-Naqoura fired several bursts of medium machine-gun fire on the open sea.

29 November 2004

At 2215 hours, an Israeli gunboat in Lebanese territorial waters off Ras-Naqoura fired a flare shell on the open sea.

1 December 2004

Between 1028 and 1130 hours, eight Israeli warplanes violated Lebanese airspace at different altitudes and entered from above the villages of Naqoura and Rmaiche.

- Six of these warplanes headed to the Bekaa and two headed to Jbeil and then to the Bekaa. The eight warplanes flew over Hermel and Baalback and then headed west and south.
- Four Israeli warplanes flew in a circular motion over Chekaa and Jbeil and left from above the sea at 1055 hours.
- Two warplanes left at 1116 hours from above Alma Elchab.
- Two warplanes left at 1130 hours from above Rmaiche.

Between 1035 and 1325 hours, two Israeli warplanes violated Lebanese airspace at different altitudes and entered from above Rmaiche, headed north and circled South Lebanon.

2 December 2004

Between 1022 and 1420 hours, an Israeli drone aircraft violated Lebanese airspace at a medium altitude and entered from above the sea facing Saida, headed north, and circled over Khalde.

Between 1944 and 2220 hours, an Israeli drone aircraft violated Lebanese airspace at a medium altitude and entered from above the sea off Saida, headed north, and circled over Beirut and Damour.

5 December 2004

Between 1015 and 1210 hours, Israeli warplanes violated Lebanese airspace and broke the sound barrier at a high altitude over South Lebanon.

12 December 2004

Between 1110 and 1150 hours, two Israeli warplanes violated Lebanese airspace at different altitudes over Tripoli.

13 December 2004

Between 1755 and 2110 hours, an Israeli drone aircraft violated Lebanese airspace at a medium altitude, entered from above the sea off Tyre, headed to Beirut and circled over Khalde and Saida.

United Nations S/2004/972

Security Council

Distr.: General
17 December 2004

Original: English

Fifth progress report of the Secretary-General on the United Nations Mission in Liberia

I. Introduction

1. By its resolution 1561 (2004) of 17 September 2004, the Security Council extended the mandate of the United Nations Mission in Liberia (UNMIL) until 19 September 2005 and requested me to continue to report periodically on progress made in the implementation of the mandate of UNMIL. The present report was prepared pursuant to that resolution and covers developments since my report of 10 September 2004 (S/2004/725).

II. Major political developments

2. During the reporting period, further progress was made in the implementation of the Comprehensive Peace Agreement and in the peace process. Such progress included the official completion of disarmament and demobilization on 31 October 2004, the formal disbandment of the armed factions on 3 November, the commencement of the repatriation of refugees on 1 October and also the resettlement of internally displaced persons on 8 November. Furthermore, State authority has been extended to several additional counties and the training of recruits for the new Liberian National Police Service has continued. However, the process also encountered several major challenges, including the troubling disturbances that took place from 28 to 31 October, the continued disputes among the leadership of Liberians United for Reconciliation and Democracy (LURD), violent demonstrations by various disaffected groups and the slow progress in the reintegration of ex-combatants. Additional challenges include the limited capacity on the part of the National Transitional Government of Liberia to provide social services and consolidate State authority, the disputes among the former armed factions regarding the distribution of government posts, and the delays in the passage of the electoral reform bill.

3. While investigations into the causes of the October disturbances continue, reports indicate that a land dispute may have triggered the initial rioting, which rapidly assumed ethnic and religious dimensions involving members of the predominantly Mandingo ethnic group. At the same time, the situation was also repeatedly exploited for their own ends by disgruntled combatants awaiting reintegration, loyalists of former President Charles Taylor and some elements of the

04-64585 (E) 171204

opposing factions within LURD. During the disturbances, a number of houses belonging to Aisha Conneh (the estranged wife of the LURD Chairperson, Sekou Conneh) and members of the LURD faction loyal to her, were the targets of attacks. In addition, several churches, mosques and residential and commercial properties were burnt down in Monrovia. A mosque was also burned in Kakata.

4. UNMIL initially responded to the riots by deploying its civilian police and formed police units in Monrovia. As the situation escalated, UNMIL troops undertook robust actions to bring the situation under control and forestall further acts of violence in the affected areas. A United Nations infantry company was redeployed from Buchanan, while two formed police units were redeployed from Gbarnga and Buchanan to Monrovia. The UNMIL Quick Reaction Force conducted robust patrols in all areas of Monrovia, while its aviation unit undertook both aerial reconnaissance and show-of-force patrols over the city. In addition, troops conducted cordon and search operations based on information received by UNMIL. The main roads into Monrovia were also sealed, following reports that former LURD elements were being brought in from Bomi county.

5. My Special Representative for Liberia, Jacques Paul Klein, members of the National Transitional Government of Liberia and representatives of the Inter-Religious Council of Liberia, made several radio appeals throughout the disturbances, calling upon individuals and groups to desist from further acts of violence. In addition, a daylight curfew was imposed by the Chairman of the National Transitional Government, Gyude Bryant. The disturbances resulted in 208 injured, 200 arrested for violent offences and 19 deaths. In the aftermath of the disturbances, UNMIL facilitated consultations among community and religious leaders. Furthermore, the United Nations civilian police teams increased their community sensitization activities in six counties.

6. During the reporting period, the continuing disputes among the LURD leadership posed serious problems for the peace process and the functioning of the National Transitional Government of Liberia. The disagreement within the faction came to a head following the September appointment by Chairman Bryant of a Sekou Conneh loyalist as the new Managing Director of the National Ports Authority. Subsequently, UNMIL received reports that the LURD splinter group loyal to Aisha Conneh, and led by the Minister of Justice, Mr. Kabineh Ja'neh, was hatching plans to unseat Chairman Bryant and unravel the peace process based on the Comprehensive Peace Agreement. Credence was lent to these reports on 18 September, when the group issued a press statement calling upon the international community to assist in removing Chairman Bryant from office and later sent a delegation to Accra, Ghana, to solicit the support of the Chairman of the Economic Community of West African States (ECOWAS), President Kufuor.

7. On 13 and 15 October, UNMIL met with other international partners to determine actions to be taken to guard against the derailment of the peace process. It was generally agreed that the National Transitional Government of Liberia should be encouraged to take steps to address the grievances of the population, including: paying civil servants' salary arrears; instituting strict measures to effectively address corruption; ensuring transparency in the management of public funds; and improving its communication with the public. It was also agreed that the National Transitional Government should consult actively with civil society groups to gain the support and understanding of the Liberian people. Chairman Bryant was also

urged to convene regular Cabinet meetings, so as to ensure transparency and inclusiveness in decision-making.

8. On 18 October, the Implementation Monitoring Committee issued a joint press statement warning that the international community would not allow any disruption of the functioning of the National Transitional Government of Liberia, including the unseating of Chairman Bryant. The statement referred to Security Council resolutions 1521 (2003) and 1532 (2004), which had provided for measures to be taken against any individual engaged in activities aimed at undermining peace and stability in Liberia and the subregion.

9. However, divisions within LURD deepened on 27 October, when the Aisha Conneh-Kabineh Ja'neh group unilaterally elected new executive members for LURD. At a meeting on 28 October, the International Contact Group on Liberia, UNMIL and other international stakeholders questioned the need to elect a new leadership, given that all armed factions were to be disbanded following the completion of disarmament on 31 October.

10. On 27 October, my Special Representative travelled to Conakry, Guinea, to solicit the assistance of President Lasana Conté in encouraging the Liberian factions to work together constructively in support of the peace process. On 30 October, UNMIL facilitated the travel of the leadership of the two opposing LURD factions to Freetown, Sierra Leone, for a reconciliation meeting hosted by President Ahmad Tejan Kabbah. A Memorandum of Understanding was signed at the meeting, containing a proposal to transform LURD into a political movement. However, feuding flared up again following their return to Monrovia.

11. During the period under review, there were growing signs of public dissatisfaction with the limited progress of the National Transitional Government of Liberia in improving basic living conditions. Several protests occurred linked to low or delayed payment of salaries, labour disputes, poor teaching conditions and high registration fees for high school students.

12. On 19 October, in accordance with Security Council resolution 1532 (2004), the Minister of Justice announced that the National Transitional Government of Liberia had commenced legal action to freeze the economic assets of former Commissioner of the Maritime Bureau, Benoni Urey, and former Finance Minister, Emmanuel Shaw. However, following a legal petition by Mr. Urey and Mr. Shaw claiming that only judges had the authority to freeze the assets of Liberian citizens, the Liberian Supreme Court on 21 October ordered the Minister of Justice to suspend the assets freeze until a hearing on the issue on 2 November. As of 1 December, the Supreme Court had yet to rule on the matter.

III. Monitoring the implementation of the Comprehensive Peace Agreement

13. The mechanisms for monitoring the implementation of the Comprehensive Peace Agreement, namely, the Joint Monitoring Committee, the Implementation Monitoring Committee and the International Contact Group on Liberia, have continued to meet regularly. The Joint Monitoring Committee, chaired by the UNMIL Force Commander, met twice during the reporting period. Its tasks have

now been fulfilled, following the completion of disarmament, demobilization and disbandment of the armed factions.

14. The International Contact Group on Liberia continued to cooperate closely with UNMIL and ECOWAS to move the peace process forward. On 17 September, the Group met in Washington, D.C., where it noted with satisfaction the progress made in the implementation of the disarmament, demobilization, rehabilitation and reintegration programme. It underscored the need for all Liberian parties to reaffirm their commitment to implementing the Comprehensive Peace Agreement, and called upon the parties to refrain from actions that might jeopardize the work of the National Transitional Government of Liberia and to work jointly in the interest of the Liberian people. It also emphasized the need for full transparency and accountability in the management of public funds by the National Transitional Government. Recognizing the linkages between the conflicts in the region, the Group agreed to extend its remit to the Mano River basin, including Côte d'Ivoire, Guinea, Guinea-Bissau, Liberia and Sierra Leone. During the reporting period, the representatives of the Group in Monrovia held weekly meetings with Chairman Bryant.

15. The first meeting of the National Transitional Government of Liberia-United Nations-ECOWAS Coordination Mechanism took place on 20 September at United Nations Headquarters in New York. The meeting welcomed the progress made in the efforts to bring peace to Liberia. At the same time, it also recognized the important challenges that lay ahead.

IV. Deployment of the Mission

16. As at 1 December, UNMIL troop strength stood at 14,541 (see annex I). During the reporting period, a third Ethiopian battalion completed its deployment in River Cess county. However, the projected deployments of Ethiopian companies to Tiapie and Toe Town in Grand Gedeh county, Fishtown in Maryland county and Grand Cess in Grand Kru county, as well as the deployment of a company from Pakistan to Foya in Lofa county, were postponed pending the establishment of reliable road links, which would allow logistic support to these locations.

17. As at 1 December, out of an authorized strength of 1,115, the UNMIL civilian police component included 1,104 personnel, with 615 police officers, 10 correctional officers and 479 officers in four formed police units. Despite continuing efforts to increase female representation, only 6 per cent of the component are women.

V. Security situation

18. Despite a relative calm during most of the reporting period, the security situation in the country was marred by the disturbances described in paragraph 3 above and by several other violent incidents.

19. In Monrovia, on 10 September, activities were temporarily disrupted as workers at the Freeport protested over a pay dispute. The same day, students and staff of the University of Liberia also demonstrated in protest over the appointment by Chairman Bryant of a new University President. Furthermore, the increasing incidents of vigilante and mob violence, which had resulted in several deaths,

continued to be a worrying trend, particularly in Monrovia. Outside Monrovia, several violent incidents were reported, including armed robberies.

20. UNMIL troops continued to monitor the situation on Liberia's borders through land and air patrols. Security along the border with Sierra Leone and Guinea has remained calm, and interaction with troops from the United Nations Mission in Sierra Leone (UNAMSIL) has continued. In early November, UNMIL also increased its presence and patrolling along the border with Côte d'Ivoire, owing to the deteriorating situation there. Furthermore, on 9 November, my Deputy Special Representative for Humanitarian Coordination led an inter-agency mission to assess Liberia's ability to receive influxes of Ivorian refugees. As at 1 December, over 10,000 refugees, mostly women and children, had crossed into Liberia.

VI. The disarmament, demobilization, rehabilitation and reintegration programme

21. The disarmament and demobilization exercise officially ended on 31 October, as unanimously agreed upon by the National Commission for Disarmament, Demobilization, Rehabilitation and Reintegration. On 2 November, 48 senior commanders from the three armed factions handed in their weapons and demobilized in a symbolic ceremony. Subsequently, on 3 November, the three armed factions signed a joint declaration attesting to the completion of disarmament and demobilization and acknowledging the cessation of their military existence with the disbandment of their forces and command structures.

22. On 2 November, the National Commission for Disarmament, Demobilization, Rehabilitation and Reintegration agreed that UNMIL would continue to conduct mobile disarmament operations in locations that were difficult to access, such as Barclayville in Grand Kru county, and Foya, Kolahun and Vahun in Lofa county. Meanwhile, the United Nations Children's Fund (UNICEF) and its partners have disarmed and demobilized 588 children associated with the fighting forces, using mobile teams. The Commission also agreed that there would be a grace period in November, during which individuals could voluntarily hand in weapons and ammunition at UNMIL checkpoints without fear of prosecution, but also without being eligible for entry into the rehabilitation and reintegration programme. Thereafter, from 1 December, individuals in illegal possession of weapons would be penalized in accordance with Liberian laws. In cooperation with the Liberian authorities, UNMIL is developing a strategy to address the problem of the recovery of illegal weapons.

23. As at 1 December, a total of 101,449 combatants had been disarmed and demobilized since December 2003. These figures include 22,313 women, 8,547 boys and 2,477 girls. By the same date, 27,892 weapons had been collected and over 23,500 had been destroyed and more weapons are destroyed daily at UNMIL Force headquarters. Some 33,000 pieces of heavy munitions and unexploded ordnance, as well as 7 million rounds of small arms ammunition, have been collected and destroyed. UNMIL has continued to make payments of the second tranche of the transitional safety allowance to demobilized combatants. As at 1 December, 76,185 combatants had received their full allowance in 11 locations throughout the country.

24. By 1 December, 612 disarmed combatants had identified themselves as foreign nationals: 50 from Côte d'Ivoire, 1 from Ghana, 308 from Guinea, 4 from Mali, 7 from Nigeria and 242 from Sierra Leone. UNMIL has initiated discussions with neighbouring countries on their repatriation. Between 11 and 12 October, a team from UNMIL visited Sierra Leone to discuss with the Government and international partners the modalities for the repatriation of adult Sierra Leonean ex-combatants in Liberia.

25. A major challenge in Liberia is the implementation of an effective rehabilitation and reintegration programme for ex-combatants. As of 1 December, the total caseload was just under 107,000 which included some 5,000 combatants presented to the National Commission for Disarmament, Demobilization, Rehabilitation and Reintegration by the former factions without weapons. Of these, some 7,000 children will be absorbed in programmes run by UNICEF. To date, 16,190 ex-combatants have been absorbed by projects funded by the United Nations Development Programme (UNDP) Disarmament, Demobilization, Rehabilitation and Reintegration Trust Fund, the United States Agency for International Development (USAID) and the European Commission. In addition, these same programme partners have planned projects that would absorb a further 40,000 ex-combatants. Some 43,000 ex-combatants still need to be provided for. Some $60 million is urgently being sought to address remaining funding shortfalls for the rehabilitation and reintegration programme.

VII. Support for security sector reform

26. During the reporting period, significant strides have been made in the restructuring of the police force. Between November 2003 and June 2004, an interim police force comprising 646 officers was trained by the United Nations to restore law and order in Monrovia. Thereafter, UNMIL undertook an extensive recruitment drive for new police recruits, in collaboration with the National Transitional Government of Liberia and the Liberian National Police. Six classes, comprising 854 screened and vetted recruits, have now undergone rigorous academic training at the National Police Academy of which four are now undertaking field training. The registration exercise to verify the number of Liberian National Police personnel has been completed. To date, 9,353 personnel have been registered from the law enforcement agencies and the process is continuing.

27. A programme to return displaced police personnel is under way with 233 officers deployed by 29 November and further deployments scheduled for early 2005. The formal inauguration of the new National Liberian Police Service is to take place before 1 July 2005. In addition, UNMIL is assisting the Liberian National Police in developing a gender policy to promote gender mainstreaming in education and training.

28. Despite the achievements in the police sector, the National Transitional Government of Liberia is still not meeting its overall obligations under the reform and restructuring process. Programmes need to be established for the reintegration of those officers of the Liberian National Police who were phased out of the force, and for the timely integration of police academy graduates into the National Police Service. In addition, the Police still lacks the necessary logistics to effectively perform its functions, including vehicles, communication and other equipment.

Improving the capacity of the national police is a critical element in the restoration of the rule of law in Liberia. Donors are encouraged to urgently consider providing resources for this vital area.

29. In the meantime, the Government of the United States of America has taken the lead in providing material and technical assistance for the restructuring of the new Armed Forces of Liberia, as outlined in the "Blue Paper" developed by UNMIL, in consultation with the National Transitional Government of Liberia and the United States Department of Defense. The Paper provides an outline for a new defence policy that would secure territorial integrity, including the establishment of a new coastguard to provide maritime patrols. UNMIL is assisting in redocumenting the Armed Forces personnel and in establishing a database of personnel information and service history, which will be used to determine which soldiers will be retrenched or pensioned, as well as their benefits. The main challenge facing the restructuring is a lack of funds with which to finance pensions and buyouts.

VIII. Rule of law

30. UNMIL has continued to consult with representatives of the national legal and judicial institutions, United Nations organizations, interested international partners and civil society on resolving the many problems facing the Liberian justice system. Unfortunately, reform efforts continue to be hampered by a lack of qualified personnel and material resources. Some headway has been made in securing funds to support infrastructural rehabilitation work in a few counties, training of national legal professionals in the justice sector, and also hiring of consultants. In addition, the United States Government has provided $1 million to assist with justice sector reform.

31. UNMIL has continued its monitoring, advisory, evaluation and training activities in rule-of-law institutions. It has also deployed legal and judicial officers to the interior of the country to help implement reforms needed to strengthen the justice system. UNMIL is currently assisting in establishing a public defender's office in Monrovia. Furthermore, in collaboration with the Ministry of Justice, the Mission is also developing proposals for the revision, harmonization and codification of laws.

32. The UNMIL corrections component has continued to work with the Ministry of Justice and other partners in improving the correctional system. The Monrovia Central Prison and the prisons in Kakata, Bondiway, Sanniquellie and Gbarnga are currently operational, while the recently renovated Buchanan prison is expected to reopen shortly. The October disturbances in Liberia highlighted some of the key problems associated with the correctional facilities. The prison population, which usually averages about 287, rose to 550 during the disturbances. As a result of inadequate staffing and the poor conditions of buildings, a number of escapes occurred from various facilities.

33. Within Monrovia, the National Transitional Government of Liberia and the World Food Programme (WFP) are providing prisoners with daily food rations, while outside the city, food is supplied solely by WFP. Medical and hygiene supplies are also provided by private individuals and the International Committee of the Red Cross. UNMIL is currently working with the Ministry of Justice to develop a budget for basic necessities.

IX. Restoration and consolidation of State authority throughout the country

34. Some progress has been made in the restoration of State authority, while the Minister of Internal Affairs has conducted consultations for the selection of candidates for county superintendent posts in 11 counties. During the reporting period, Chairman Bryant submitted the names of eight nominees for these posts to the National Transitional Government of Liberia for confirmation. In collaboration with UNDP, UNMIL has facilitated the establishment of District Development Councils to enhance community participation in local projects and governance. Meanwhile, the United Nations Office for Project Services assisted in the development of a national plan for reconstruction, including recommendations for the rehabilitation of the Freeport area in Monrovia.

35. UNMIL continues to assist the National Transitional Government of Liberia with the deployment of officials, particularly at the border entry points between Liberia and neighbouring countries. In particular, the Mission facilitated the deployment of an additional 257 officials from the Bureau of Immigration and Naturalization. In addition, 45 immigration officers were deployed to Maryland county in November, following the outbreak of hostilities in Côte d'Ivoire and the subsequent influx of Ivorian refugees into Liberia. UNMIL also assisted with the deployment of Customs and Internal Revenue officials to seven counties.

36. However, the deployed officials' ability to function effectively continues to be seriously hampered by a lack of adequate office facilities, equipment, and other logistic support. These problems should be partly alleviated by an assistance package of $4,464,927 provided by USAID for the renovation and furnishing of administrative buildings in nine counties.

37. In the meantime, the civil affairs officers of UNMIL are co-located in 17 ministries, the National Transitional Government of Liberia, the Monrovia City Council, and 14 major agencies and parastatals. The officers have facilitated capacity-building and the mobilization of donor support for the Government's recovery programmes, within the context of the Results-focused Transition Framework. The UNMIL civil affairs county coordinators are also deployed in the 15 counties and continue to support the restoration of State authority and the revival of government institutions. UNMIL has also established Housing and Property Committees in five counties, to assist in resolving disputes over the illegal occupation of properties belonging to returnees.

38. UNMIL has continued to monitor progress made by the Government in establishing mechanisms for the proper management of diamonds and timber, the trade in which is subject to Security Council sanctions. From 27 to 29 October, Liberia participated in the Kimberley Process annual plenary in Ottawa, Canada. The Government subsequently expressed its commitment to expediting establishment of a certification scheme for the country's rough diamonds, as required under the Kimberley Process. The United Nations is also providing security and logistic support to the Ministry of Agriculture, in collaboration with the Ministries of Justice and Finance, to address the outstanding issues of ownership, land tenure, management and physical status in respect of the nation's timber plantations. At the same time, the United Nations is assisting the Forestry

Development Authority in developing reforms for the transparent management of forest resources.

X. Elections

39. In a welcome development, the long-awaited election of the National Transitional Legislative Assembly representative for Grand Kru county took place on 12 October, bringing the Assembly to its full strength of 76 members and fulfilling a major benchmark in the implementation of the Comprehensive Peace Agreement.

40. On 30 August, the National Elections Commission submitted the proposed electoral reform bill to the National Transitional Legislative Assembly. However, as indicated in paragraph 2 above, the Assembly had delayed passing the bill for several months. The main cause of the delay was the Assembly's disagreement with the Commission's proposal to allocate seats in the House of the Representatives based on the number of registered voters in each of the 15 counties rather than on actual population figures, as there would be insufficient time before the October 2005 elections to hold a census. Assembly members insisted that the 1985 seat allocation formula be used, while the Commission argued that such allocation was neither based on census figures nor in conformity with international standards of equitable representation in a legislative institution.

41. To try to overcome the problem, Chairman Bryant established a committee, comprising advisers to the Chairman, the International Foundation for Electoral Systems, UNMIL, the National Elections Commission and the National Transitional Legislative Assembly, to develop a compromise proposal that would meet international electoral standards. On 13 November, the committee agreed that each of the 15 counties would be allocated a minimum of two seats, with the remaining 34 seats allocated on the basis of the results of the voter registration exercise. Under this proposal, the Commission would also develop mechanisms to allow internally displaced persons and returnees who had not yet resettled to register for their county of origin, irrespective of where they had registered to vote.

42. Unfortunately, the National Transitional Legislative Assembly did not introduce the compromise solution during its final debate on the bill on 19 November. Instead, it adopted amendments that implied that a national census should be conducted before seats were allocated. It also adopted a provision referring to the seat allocation formula of 1985. The Assembly also rejected proposals to increase penalties for bribery and other electoral offences as well as the proposed special measures for the registration of internally displaced persons. It also deleted paragraphs from the draft bill that had noted the need to adopt appropriate measures for increasing the participation of women in the electoral process. On 6 December, Chairman Bryant vetoed the provisions in the bill that were considered unacceptable and returned it to the Assembly with proposals aimed at reverting to the consensus proposal, previously agreed upon.

43. The protracted delay in adopting the electoral reform law has hindered operational preparations for the October 2005 elections. The process cannot afford further setbacks and delays. Moreover, the adoption of electoral legislation that does not guarantee minimum standards of fairness is likely to jeopardize donor support.

XI. Human rights and protection of civilians

44. UNMIL human rights and protection officers are present in 11 counties where they work with the local authorities and civil society organizations. The section has also continued its protection and monitoring activities. It has also focused on supporting the establishment of the Truth and Reconciliation Commission and the Independent National Commission on Human Rights, as well as on promoting the adoption by the National Transitional Legislative Assembly of the draft enabling legislation for both Commissions.

45. UNMIL has continued to work extensively with national counterparts to counter sexual offences against young children and to promote the rights of prisoners, improve access to justice and fair trials, and ameliorate the human rights situation of internally displaced persons, returnees and refugees.

46. The fact that, with the support of UNMIL, on 22 September, Chairman Bryant signed, ratified and acceded to 18 international treaties (see annex II) marked a significant step in providing the legislative basis for the protection of human rights in the country.

XII. The humanitarian situation

47. On 1 October, the Office of the United Nations High Commissioner for Refugees (UNHCR), in close collaboration with the National Transitional Government of Liberia, began the facilitated voluntary repatriation of Liberian refugees from neighbouring countries. This exercise followed the signing of agreements between UNHCR and Liberia, Sierra Leone, Côte d'Ivoire, Ghana and Guinea, providing the legal framework for the repatriation. UNHCR expects that close to 100,000 Liberian refugees will return home by the end of this year, most spontaneously. UNHCR is also undertaking reintegration projects for the returnees.

48. The official completion of the disarmament and demobilization operation on 31 October also helped create favourable conditions for the return of internally displaced persons to their places of origin, with the formal launch of the assisted voluntary returns on 8 November. It is estimated that there are between 260,000 and 300,000 internally displaced persons in Liberia. As at 1 December, more than 4,036 displaced individuals, representing 865 families, had been assisted in returning to their communities, out of a total of 222,379 persons registered for return assistance by the International Organization for Migration (IOM). A comprehensive plan for the reintegration of refugees, internally displaced persons and ex-combatants is being finalized.

49. Given the enormous reconstruction and development needs in the country, the UNMIL Humanitarian Information Centre and Humanitarian Coordination Section are undertaking mapping exercises to ensure that humanitarian resources are focused on key areas of return. UNHCR is also monitoring population flows in areas of initial return, in preparation for future flows of returnees.

50. United Nations organizations have increased their deployment throughout Liberia to deal with returnees. In October, WFP opened a number of sub-offices, allowing it to improve its distribution programmes. The United Nations Human Settlements Programme (UN-Habitat) is rehabilitating housing and promoting

reconciliation among ex-combatants and their communities by involving the former in the process.

51. Food aid is still vital for meeting the needs of several vulnerable groups in Liberia. WFP has been distributing some 5,800 metric tons of food each month to over 500,000 Liberians. WFP requires some $18.7 million to avert a food shortfall between November and April 2005. Meanwhile, the Food and Agriculture Organization of the United Nations (FAO) is working to restore agricultural productive capacity and ensure food security throughout Liberia. It is providing fishing equipment and training to some 1,500 crisis-affected fishermen, as well as food production assistance to 13,000 war-affected farm families in peri-urban Monrovia and Margibi county.

52. The UNICEF "Back to School" programme is making steady progress. Approximately 12,000 primary school teachers have completed an orientation programme and 660 teachers, of whom 53 per cent are women, have obtained primary school teaching certificates. Five hundred teachers have been trained in the accelerated learning programme teaching methodology.

53. The United Nations Educational, Scientific and Cultural Organization (UNESCO) commenced its post-conflict education reconstruction activities in the country on 15 September. UNESCO plans include facilitating workshops for upgrading teacher trainers and reprinting formal school curricula for distribution among schoolteachers.

54. UNICEF has made further progress in the reactivation of health clinics and routine immunization at local health facilities. Three hundred and ninety health workers have been trained in the management of malaria, diarrhoea and acute respiratory infections. Furthermore, the Ministry of Health, supported by UNICEF and the World Health Organization (WHO), in October and November, immunized 1,799,861 children against polio. UNICEF also supported a government team that is monitoring water quality and developing an early warning system for potential cholera hot spots.

55. The 2004 Consolidated Appeals Process for Liberia, which included a revised requirement of $140.5 million for humanitarian activities, was 47 per cent-funded. For 2005, the United Nations Country Team has decided to integrate the humanitarian needs into the Results-focused Transition Framework. Donors are encouraged to provide the necessary resources to adequately address the considerable humanitarian needs of the people of Liberia.

XIII. HIV/AIDS

56. UNMIL has continued to conduct HIV/AIDS awareness, sensitization and personal risk assessment presentations for civilian and military personnel. The establishment of a voluntary confidential counselling and testing centre in the Mission is being planned. UNICEF, the United Nations Population Fund (UNFPA) and the National AIDS Control Programme are working together on elaborating a national HIV/AIDS information, education and behavioural change communications strategy.

XIV. Gender issues

57. The UNMIL Gender Unit has focused on ensuring that some 22,000 women associated with the fighting forces have access to reintegration opportunities. It is also developing a gender policy and undertook awareness training for the Liberian National Police and corrections officers. Several gender-related problems affecting the corrections system have also been identified. Assistance was provided to the Ministry for Gender and Development in drawing up a provision for inclusion in the draft electoral reform bill that advocated the increased involvement of women in the electoral process. Technical assistance has also been provided to the Ministry for Rural Development on identifying strategies for building capacities of rural women to gain sustainable livelihoods through the National Rural Women's Programme.

XV. National recovery

58. With the support of the United Nations, the National Transitional Government of Liberia has made significant progress in establishing the Results-focused Transition Framework Implementation and Monitoring Committee (RIMCO) and the RIMCO Support Office for the overall implementation and monitoring of national recovery programmes. The National Transitional Government of Liberia, UNMIL, UNDP and the World Bank work closely together within these structures.

59. As at 1 December, approximately $355 million of the $520 million pledged at the International Reconstruction Conference on Liberia held in February had been received. The Core Group on Liberia, comprising donor countries and international organizations, met in Washington, D.C., on 17 September, to review the progress made in national recovery and the status of donor pledges. It noted the slow progress in rehabilitating several key sectors, including sanitation, electricity and telecommunications. Discussions centred on the need for the Results-focused Transition Framework to ensure that donor funding focuses on high-priority areas, and the implementation of a comprehensive reintegration plan for ex-combatants, refugees and internally displaced persons.

XVI. Regional aspects

60. The National Transitional Government of Liberia has continued to improve its relations with neighbouring countries. On 15 October, Chairman Bryant visited Sierra Leone where he met with President Kabbah to discuss bilateral regional cooperation among the Mano River Union countries. UNMIL continues to work closely with the other peacekeeping and political missions in West Africa. During the November crisis in Côte d'Ivoire, UNMIL provided the United Nations Operation in Côte d'Ivoire (UNOCI) with logistics support, including air assets, to assist in the evacuation of United Nations personnel.

61. The Force Commanders of UNMIL, UNOCI and UNAMSIL met in Abidjan, Côte d'Ivoire, from 6 to 8 October. Additionally, personnel from UNMIL Force headquarters and from the Senegalese battalion deployed in Maryland county have attended meetings in western Côte d'Ivoire to discuss cross-border coordination and cooperation issues. It was agreed that regular coordination meetings would be held at battalion and sector levels. The Force Commanders also met in Dakar, Senegal,

on 2 and 3 December, and discussed enhancing cooperation and the provision of mutual support in the event of further security crises in a particular mission area, among other issues.

62. On 3 December, UNMIL hosted the third meeting of Heads of United Nations peacekeeping and political missions in West Africa, which was chaired by my Special Representative for West Africa, Mr. Ahmedou Ould-Abdallah. It was attended by my Special Representatives for Liberia, Côte d'Ivoire and Sierra Leone, as well as my Representative for Guinea-Bissau. The meeting focused on the recent developments in Côte d'Ivoire, humanitarian coordination between UNMIL and UNOCI, inter-mission cooperation, security sector reform, and peacebuilding strategies for sensitive border areas. The heads of missions expressed concerns regarding the limitations to cross-border collaboration. While the United Nations missions, and UNMIL in particular, have sought to assist UNOCI throughout the recent crisis, constraints on asset-sharing across borders limited the level of assistance provided.

XVII. Public information

63. The public information component of UNMIL has conducted several workshops for journalists and media executives. It also commenced a community-level video outreach programme and has continued its sensitization programmes on rehabilitation and reintegration. UNMIL Radio has expanded its coverage throughout the country and is currently broadcasting from Gbarnga, Saniquellie, Ganta, Zwedru, Voinjama and Harper.

XVIII. Mission support

64. The UNMIL administrative component has expanded its operations throughout the country. Nevertheless, challenges remain in providing the quantities of construction materials needed for the refurbishment of UNMIL-occupied buildings, road maintenance and repair, and other construction tasks. A coastal support vessel has been utilized extensively to support military contingents deployed in locations with suitable port access, particularly at Harper in Maryland county where there is a limited road network.

XIX. Observations

65. UNMIL has continued to make progress in stabilizing Liberia. Major milestones have been reached in the implementation of the Comprehensive Peace Agreement. The peace process is now at a critical juncture, with the focus of attention rapidly shifting to the preparations for the October 2005 elections, the urgent need to resettle internally displaced persons and refugees and provide reintegration opportunities for ex-combatants, and further the extension of State authority nationwide.

66. At this point in the peace process, many serious issues remain to be effectively addressed, so that the gains made so far are not undermined. In this context, the capacity of the National Transitional Government of Liberia to provide basic

services to the population remains very limited. Chairman Bryant and the National Transitional Government have taken some steps to try to address the overwhelming needs of the people of Liberia. However, much more remains to be done. It is important that the arrears in payments of civil servants' salaries be eliminated. Additionally, the National Transitional Government should urgently implement strict measures that would effectively address corruption, and ensure transparency in the management of public funds and agencies, in order to build the confidence necessary to attract further donor funding for reconstruction. The Liberians themselves and the international community should consider the benefits of increasing independent oversight of the Government's public revenue management.

67. Furthermore, the National Transitional Government of Liberia, assisted by UNMIL, should actively engage and consult with civil society. Such outreach should be part of an overall strategy to enhance public understanding of and promote support for the transitional process. Meanwhile, the National Transitional Government also needs to expedite the extension of State authority nationwide and ensure that local administrators, the police and the judiciary receive the support they need to perform their functions effectively.

68. The continuing negative effect of the divisions within LURD on the capacity of the National Transitional Government of Liberia to implement the Comprehensive Peace Agreement remains a serious concern. It is deplorable that some individuals are continuing to pursue narrow factional agendas and seek to disrupt the operations of the National Transitional Government. It is imperative that the Liberian parties eschew factional interests and work in the national interest to ensure the smooth implementation of the Comprehensive Peace Agreement.

69. The disturbances that occurred in the country between 28 and 31 October exposed underlying problems which urgently need to be addressed, including by UNMIL, in order to guard against recurrences of violence. In this context, the religious and ethnic dimensions assumed by the disturbances are deeply troubling. The National Transitional Government of Liberia should make every effort to promote reconciliation and religious tolerance among the diverse groups in the country.

70. As an essential element in promoting national reconciliation, holistic, coherent and long-term programmes should be implemented to meet the reintegration needs of ex-combatants, as well as the resettlement needs of internally displaced persons and refugees. At the same time, the threat posed by the over 100,000 unemployed, volatile and restive ex-combatants to security and stability in the country and elsewhere must be taken most seriously. In this regard, concrete steps need to be taken to ensure that they are urgently provided with educational, training and reintegration opportunities to help them achieve productive lives.

71. While donors have made commendable contributions to the rehabilitation and reintegration process, a major and dangerous shortfall in funding remains, amounting to some $60 million for ex-combatants alone. Donors are strongly encouraged to provide further resources. Such an investment at this critical time would allow for the provision of urgently needed assistance for vulnerable groups, which in turn would help promote stability and the consolidation of peace.

72. The protracted delay in arriving at a consensus among the Liberians regarding the legislation for the October 2005 elections is also of some concern. UNMIL,

ECOWAS and other international partners should continue to work with the National Elections Commission, the National Transitional Government of Liberia and the National Transitional Legislative Assembly to ensure that a legal framework for the elections that meets international standards is adopted without further delay. The Liberian parties should be reminded of the importance of overcoming remaining obstacles and of ensuring that the elections are held on schedule.

73. The support of UNMIL for the law enforcement, judicial and corrections institutions includes assistance in improving professional capacity and mobilizing resources to meet infrastructural and other needs. Although progress continues to be made in both areas, it is seriously constrained by shortfalls of funding. I would urge that donors urgently consider providing resources for strengthening these key sectors which form the foundation for building a society based on the rule of law. The promotion of national reconciliation is another important area, for which a truth and reconciliation commission provides an invaluable mechanism. The National Transitional Legislative Assembly should be urged to expedite passage of the draft legislation needed to establish the commission for the National Transitional Government of Liberia should provide it with all possible support so as to facilitate an early commencement of its work.

74. The transition to peace after years of civil conflict or unrest in Liberia has been marked by a range of formidable challenges, which must be taken up decisively to guard against possible setbacks. It is important that the people of Liberia break with the violence of the past and demonstrate that they are ready to build lasting peace and stability. Furthermore, the Liberian leaders should be reminded of their personal responsibility for ensuring that the peace process remains on track. At the same time, the sustained support and engagement of the international community are vital in helping ensure that there is continued progress and that the underlying causes of the conflict in Liberia are addressed. The active and long involvement of the regional leaders has been particularly critical in efforts to restore peace in Liberia. In this context, close cooperation among ECOWAS, the African Union and UNMIL constitutes a most valuable asset and should be further strengthened to help ensure that the transition process leading to elections in October 2005 proceeds smoothly.

75. In conclusion, I would like to commend my Special Representative, Jacques Paul Klein, and the civilian and military staff of UNMIL for their contribution to the progress made during the period under review. I would also like to express my gratitude to the countries that are contributing troops and police personnel to the Mission, as well as to ECOWAS leaders, members of the International Contact Group of Liberia, United Nations organizations, humanitarian organizations and numerous bilateral donors, for their steadfast and continuing efforts to return peace to Liberia.

Annex I

United Nations Mission in Liberia: military and civilian police strength (as at 1 December 2004)

Country	Military observers	Military component			Civilian police component
		Staff officers	Troops	Total	
Argentina			6	18	2
Bangladesh	17	10	3 179	3 206	23
Benin	1			1	
Bolivia	3	1		4	
Bosnia and Herzegovina				0	17
Brazil		1		1	
Bulgaria	2			2	
China	5	10	557	572	25
Croatia		3		3	
Czech Republic	3			3	3
Denmark	2			2	
Ecuador	3	1		4	
Egypt	8			8	
El Salvador	3			3	
Ethiopia	17	9	2 543	2 569	
Fiji				0	30
Finland		2		2	
France		1		1	
Gambia	5			5	30
Germany					4
Ghana	11	2	842	855	36
Indonesia	3			3	
Ireland		8	422	430	
Jamaica				0	10
Jordan	7	9	115	131	134
Kenya	3	4		7	15
Kyrgyzstan	4			4	3
Malawi		2		2	19
Malaysia	10			10	
Mali	3	2		5	
Namibia	3	5	860	868	6
Nepal	5	1	40	46	256
Niger	2			2	4
Nigeria	20	11	1 643	1 674	152
Norway				0	6
Pakistan	12	6	2 739	2 757	22
Paraguay	3	1		4	
Peru	3	2		5	
Philippines	2	2	163	167	30
Poland	2			2	3
Portugal				0	2

Country	Military observers	Military component			Civilian police component
		Staff officers	Troops	Total	
Republic of Korea	1	1		2	
Republic of Moldova	3	1		4	
Romania	2			2	
Russian Federation	6			6	20
Samoa				0	20
Senegal	3	4	599	606	10
Serbia and Montenegro	6			6	8
South Africa		3		3	
Sri Lanka				0	11
Sweden		3	229	232	6
Togo		1		1	
Turkey				0	34
Uganda				0	20
Ukraine	3	1	300	304	11
United Kingdom		3		3	
United States of America	6	5		11	68
Uruguay				0	2
Yemen				0	4
Zambia	3			3	28
Zimbabwe				0	30
Total	**195**	**115**	**14 231**	**14 541**	**1 104**

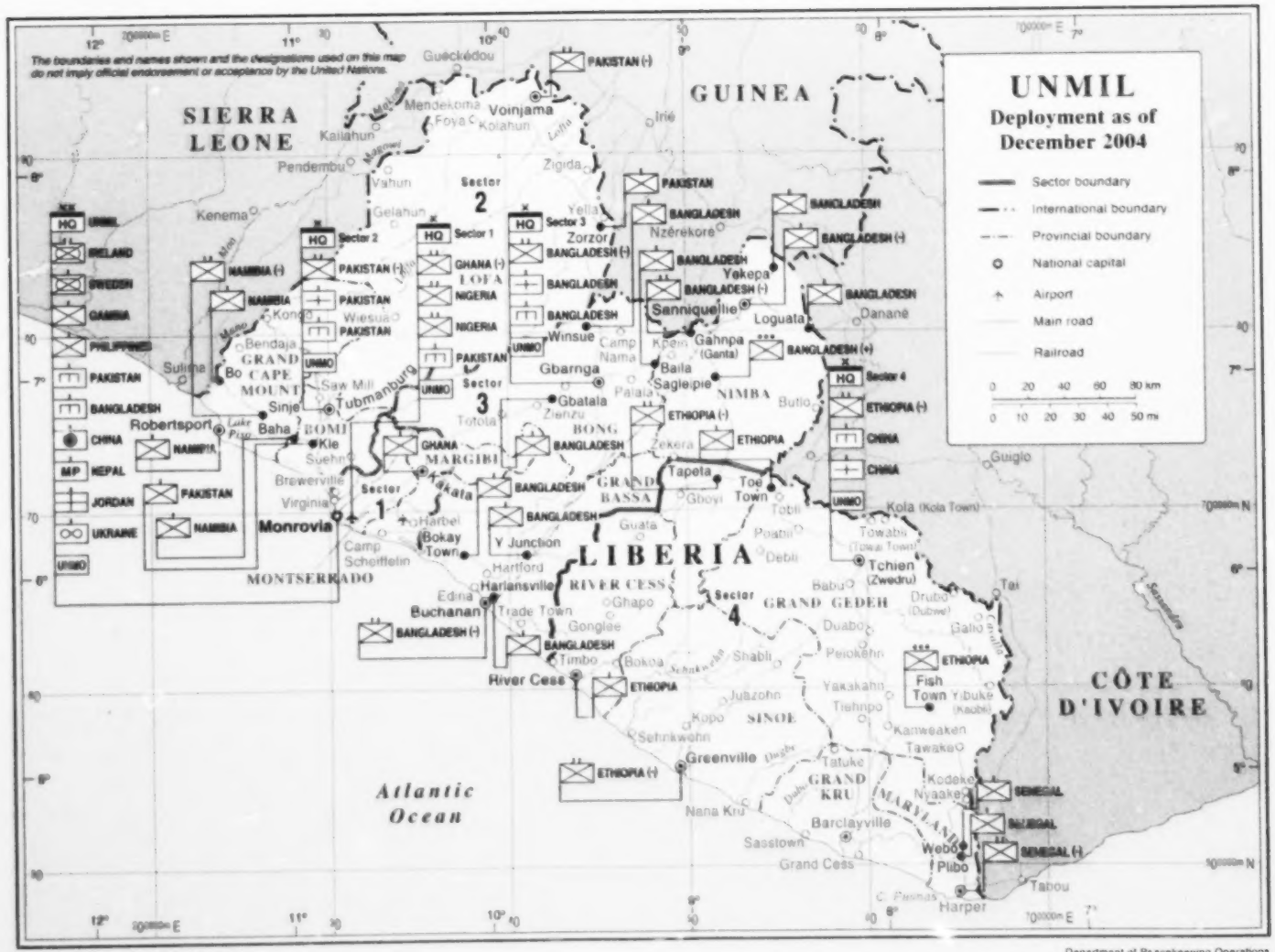
Annex II

List of treaties signed, ratified and acceded to by Liberia on 22 September 2004

1. The five signed treaties are: (a) the Optional Protocol to the International Covenant on Civil and Political Rights; (b) the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; (c) the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; (d) the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; and (e) the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

2. The 10 treaties acceded to are: (a) the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; (b) the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; (c) the Convention on the Reduction of Statelessness; (d) the Convention on the Safety of United Nations and Associated Personnel; (e) the United Nations Convention against Transnational Organized Crime; (f) the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; (g) the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime; (h) the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime; (i) the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal; and (j) the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

3. The three ratified treaties are: (a) the International Covenant on Economic, Social and Cultural Rights; (b) the International Covenant on Civil and Political Rights; and (c) the Rome Statute of the International Criminal Court.



Map No. 4211 Rev. 3 UNITED NATIONS
December 2004

Department of Peacekeeping Operations
Cartographic Section

United Nations S/2004/973

Security Council

Distr.: General
16 December 2004

Original: English

Progress report of the Secretary-General on Ethiopia and Eritrea

I. Introduction

1. The present report is submitted pursuant to paragraph 12 of Security Council resolution 1320 (2000) of 15 September 2000, and provides an update on developments in the peace process since my report dated 2 September 2004 (S/2004/708). The report also describes the deployment and activities of the United Nations Mission in Ethiopia and Eritrea (UNMEE), the current mandate of which expires on 15 March 2005.

II. Status of the Temporary Security Zone and adjacent areas, and cooperation with the parties

2. The general situation in the Temporary Security Zone, established pursuant to resolution 1320 (2000), and the adjacent areas continued to be calm. No major incidents have been reported during the period under review and no significant changes in the disposition and deployment of the armed forces of Ethiopia and Eritrea have been observed by UNMEE. The level of cooperation of the military authorities with the United Nations on both sides remained generally satisfactory. However, as reflected in my last report, due to the protracted stalemate in the overall peace process, the threat to military stability remains a serious concern.

3. During the period under review, there were two reported incursions by Eritrean troops into the Temporary Security Zone, in Sector East. Both incidents were promptly investigated and confirmed, and a protest was subsequently lodged with the Eritrean authorities. UNMEE also observed an incursion by Ethiopian troops approximately one kilometre inside the Temporary Security Zone, in Sector West. It was protested, and the Ethiopian authorities promised to withdraw the troops. UNMEE is monitoring the situation closely. Other observations of cross-border incidents were resolved peacefully. Defections of military and civilian personnel on both sides of the border declined during the period under review. UNMEE reported an overall decrease in incidents of livestock rustling, and both parties cooperated in assisting with the return of the rustled livestock.

04-64607 (E) 201204

Freedom of movement

4. Freedom of movement for UNMEE personnel operating in Eritrea has improved. With decreasing levels of restrictions, the Mission patrols seeking to monitor the redeployed positions of the Eritrean Defence Forces in the adjacent areas have been allowed greater freedom of movement. However, the road from Asmara to Keren via Barentu has remained closed to UNMEE traffic since 1 September, with no indications of its immediate reopening. This restriction remains a major impediment to UNMEE operations, as it is, without doubt, the best road for supplying the Mission troops in Sector West. Freedom of movement in the adjacent areas on the Ethiopian side has generally been adequate.

5. At the same time, immigration procedures imposed on UNMEE staff entering and exiting Ethiopia and Eritrea at the airports in the two capitals remain in place. I, once again, urge both parties to remove those restrictive measures, and appeal to the Government of Eritrea to cease its insistence on receiving prior notification for non-Mission partners, including embassy staff, humanitarian workers and others, travelling on Mission carriers on both domestic and cross-border flights.

6. Since my last report, UNMEE and the Government of Ethiopia have finalized technical details for the implementation of direct flights between Addis Ababa and Asmara. Efforts by the Mission to discuss such flights with the Government of Eritrea have, regrettably, been in vain. In a letter dated 3 September 2004, the Eritrean Commissioner advised my Special Representative, Legwaila Joseph Legwaila, that the matter required a "directive from the highest political level". In a letter dated 5 November, I appealed to President Isaias Afwerki of Eritrea to help resolve the matter. While the Eritrean Foreign Minister subsequently promised my Special Representative to review this issue, I appeal to the Government of Eritrea to avoid any further delay in finalizing the necessary direct flights arrangements with UNMEE. In the meantime, Mission aircraft continue to fly via Djibouti, at considerable additional cost and wasted work hours, as well as the negative security implications of the circuitous flight path.

Military Coordination Commission

7. At the twenty-sixth meeting of the Military Coordination Commission, held in Nairobi on 20 September, my Special Representative formally introduced the new UNMEE Force Commander, Major General Rajender Singh (India), to the delegates of the two sides. The Commission met again on 29 November and reviewed the security situation. It also welcomed the process of holding sector-level meetings of the Commission and discussed matters relating to additional confidence-building measures. UNMEE proposals included the establishment of a communications hotline, the inclusion of local police and civil administrators as observers in future meetings, the consideration of alternate venues for meetings at the border of the two countries and their respective capitals, and the military and police withdrawal from within 250 metres of both sides of the southern boundary of the Temporary Security Zone. The parties also continued to hold sector-level meetings of the Military Coordination Commission, an important confidence-building measure. I hope that all these proposals will receive serious consideration by the parties and will form the basis of improved cooperation on practical matters.

Status of the Mission and related issues

8. As at 1 December 2004, the total strength of the UNMEE military component stood at 3,889, comprising 3,576 troops, 100 headquarters staff officers and 213 military observers (see annex II).

9. In keeping with Security Council resolution 1560 (2004), the redeployment of the Kenyan infantry battalion, which has been operating in Sector East with a strength of 556 personnel, is under way. Repatriation of that battalion is due for completion by the end of January 2005. I would like to take this opportunity to thank the Government of Kenya for the excellent performance of their troops in the very harsh and prohibitive desert terrain.

10. In the meantime, a revised concept of operations has been drawn up to ensure that, despite the downsizing, the Temporary Security Zone could be monitored effectively, in accordance with the UNMEE mandate established by Security Council resolution 1320 (2000). After the departure of the Kenyan battalion, the number of sectors in UNMEE will be reduced from three to two. In addition, the Administration and Guard Company of the Finnish contingent, which is due to be repatriated by 14 December 2004, upon completion of its tour of duty, is being replaced by a company of the Kenyan Army. The downsizing of the UNMEE force headquarters is also in progress and is expected to be complete by the first quarter of 2005.

11. In Eritrea, the welfare of UNMEE staff has been adversely affected by shortages of essential commodities and foodstuffs, which are not always available in the shops. Recurrent lack of fuel availability compelled UNMEE to institute special measures, including the suspension of non-essential travel. Recently, however, the Government of Eritrea has granted UNMEE permission to import fuel according to its operational requirements. Although that is a welcome decision, the Mission now has to work out the technical arrangements for fuel importation with local authorities, which could take some time to implement. At the same time, I have instructed my Special Representative to monitor the situation closely and to make recommendations necessary to alleviate hardship experienced by Mission staff.

12. On 5 December, a mine action truck driven by an UNMEE contractor collided with a bus in Eritrea. Three local people on the bus sustained fatal injuries in the accident. I would like to take this opportunity to express my sincere condolences to the Government of Eritrea and the families of those involved in that tragic accident.

13. On 1 December, Ms. Sissel Ekaas (Norway) assumed her functions as Deputy Special Representative in Asmara. In addition to her general duties as Mr. Legwaila's Deputy, Ms. Ekaas will oversee UNMEE HIV/AIDS and humanitarian activities, including quick-impact projects, in the entire Mission area. The Deputy Special Representative in Asmara will also provide political oversight of the Mine Action Coordination Centre.

III. Boundary Commission and related developments

14. On 25 November, Prime Minister Meles Zenawi submitted to the Ethiopia Parliament a five-point proposal for peace with Eritrea, which the Parliament accepted. The proposal consists of the following points:

(a) Resolve the dispute between Ethiopia and Eritrea only, and only through peaceful means;

(b) Resolve the root causes of the conflict through dialogue, with a view to normalizing relations between the two countries;

(c) Ethiopia accepts, in principle, the Ethiopia-Eritrea Boundary Commission decision;

(d) Ethiopia agrees to pay its dues to the Ethiopia-Eritrea Boundary Commission and to appoint field liaison officers;

(e) Start dialogue immediately, with a view to implementing the Ethiopia-Eritrea Boundary Commission's decision in a manner consistent with the promotion of sustainable peace and brotherly ties between the two peoples.

15. While some international partners reacted positively to this initiative, Eritrea's initial reactions were dismissive. In a letter dated 10 December 2004 to the President of the Boundary Commission, Eritrea stated that "it is incumbent upon Ethiopia immediately to express unconditional respect for the work of the Boundary Commission, including full acceptance of the 13 April 2002 Award. Ethiopia must withdraw its troops from Eritrean territory and cooperate fully with expeditious demarcation of the border." The letter further stated that "Ethiopia has not complied with the Commission's 17 July 2002 Order to remove illegal settlements from Eritrean territory", which was supported by the Security Council on 14 August 2002 and 6 September 2002.

IV. Mine action

16. While there has been a recent decline in the number of accidents and casualties, landmines and unexploded ordnance continue to claim victims in the Temporary Security Zone and its adjacent areas. From September through November 2004, there were three incidents involving landmines and unexploded ordnance, in which two people were killed and one person was injured. UNMEE continued to monitor closely the threat throughout its area of operations, and, during the reporting period, destroyed an additional 18 mines and 1,269 items of unexploded ordnance. The Mission further cleared more than 203,000 m^2 of land and 575 km of road. Those efforts will be supplemented in the coming weeks with the addition of new mine-protected vehicles, which have now arrived in the Mission area. Meanwhile, UNMEE mine-risk education field teams provided community-based mine-risk education to more than 7,300 people in particularly dangerous areas in Sectors West and Centre.

17. By the end of November, the commercial company MECHEM, which replaced the Slovak demining contingent in June 2004, had fully deployed under a new contract. The memorandum of understanding signed by the United Nations Mine Action Service and the United Nations Office for Project Services has been amended accordingly.

V. Humanitarian developments

18. My Special Envoy for the Humanitarian Crisis in the Horn of Africa, Martti Ahtisaari, visited Eritrea and Ethiopia again from 13 to 19 October. He stressed the need for both humanitarian and development assistance to help address chronic and acute food and livelihood insecurity in the two countries.

19. In Eritrea, despite great efforts, the situation continued to deteriorate. Recurrent drought, erratic rainfall, deficient crops and poor economic performance are likely to increase the number of most vulnerable people from 1.9 million to 2.2 million over the next six months. The latter figure constitutes 58 per cent of the country's total population of 3.8 million. Meanwhile, approximately 66 per cent of Eritrea's population has limited coping mechanisms and poor access to clean water. According to the 2005 Consolidated Appeal Process, life-threatening acute malnutrition accounts for 15 to 20 per cent of children under the age of five, while an average of 42 per cent of women of productive age are undernourished. Maternal mortality is aggravated by maternal malnutrition rates that stand as high as 53 per cent in some areas. The number of deaths resulting from acute respiratory infections and diarrhoea is very high, and while the prevalence of HIV/AIDS remains low, it is increasing in some parts of the country. In addition, the threat posed by landmines impedes the normal movement of more than 655,000 people.

20. In Ethiopia, a July 2004 needs assessment projected that the number of people who will require humanitarian assistance until the end of 2004 had increased to 7.8 million. That increase is the direct result of lower food availability in certain parts of the country after insufficient rains and widespread drought damaged domestic food sources. In addition, there is a shortfall of 100,000 metric tons of food aid, of a total of 500,000 metric tons required by the end of this year. Funding of non-food assistance in Ethiopia stands at only 56 per cent of the 2004 requirement. This funding gap has, furthermore, increased by an additional $7 million, owing to the recent change in the malaria drug regime. On 26 November, 200 Ethiopian civilians were repatriated from Eritrea to Ethiopia under the auspices of the International Committee of the Red Cross.

21. A United Nations priority in Eritrea is the sustainable reintegration of internally displaced persons and the repatriation of refugees. However, in order to succeed, there is reason to address issues of malnutrition and food security among the drought-affected; the provision of health and primary education; the empowerment of women, especially those who head households; prevention of the spread of HIV/AIDS; and demining enough of the region so that internally displaced persons and refugees may return home. In order to undertake those tasks and to effectively address the humanitarian crisis in 2005, a total of $157 million is urgently needed.

Quick-impact projects

22. UNMEE continued to implement quick-impact projects in the Temporary Security Zone and its adjacent areas, in both Ethiopia and Eritrea, from funds received through the Trust Fund for the Support of the Peace Process in Ethiopia and Eritrea. It is estimated that since 2001, more than 770,000 people have benefited from water, health, sanitation and education projects initiated by the Mission, in coordination with its humanitarian partners. The Government of Norway has

recently contributed, for the third time, $250,000 to the Fund. I would like to urge other donors to lend their support to these important projects by making additional contributions to the Trust Fund.

HIV/AIDS activities

23. During the period under review, UNMEE conducted two workshops on the theme "Training of trainers in HIV/AIDS peer leadership", which involved UNMEE staff, the United Nations country teams, People Living with HIV/AIDS — a non-governmental organization — and the local population. Training sessions, which lasted for 14 days, were held in Addis Ababa and Asmara.

24. HIV/AIDS awareness training is provided to all new arrivals to UNMEE including international and local civilians, and military personnel. At the same time, the Mission HIV/AIDS Unit continues to offer its services for voluntary confidential counselling and testing on a daily basis to UNMEE staff members.

VI. Human rights

25. UNMEE continues to engage both Ethiopia and Eritrea in monitoring and investigating human rights activities in the two countries. I am deeply concerned, however, about reported instances of reluctance by the relevant Eritrean authorities to share information on the status of Ethiopian nationals who had crossed into Eritrea. UNMEE has further reported that, despite the general decline in defections across the border, there was a rise in border crossings into Ethiopia, during October, involving unaccompanied Eritrean minors. In that connection, following reports that local Ethiopian authorities had the intention to forcibly return the unaccompanied minors to Eritrea, UNMEE intervened with State officials of Tigray Region in northern Ethiopia. I am pleased to note that since my last report, Eritrean civilians who had allegedly been abducted by Ethiopian troops have now been accounted for in Eritrea.

26. An UNMEE Human Rights Sub-office in Mekelle, Ethiopia, has become operational and is closely monitoring the case of five Eritrean men who were arrested in June 2004 on allegations of espionage and detained at a prison in Axum. UNMEE has called on the Tigray regional authorities to respect the human rights of the detainees by, among other things, facilitating a fair trial.

27. I am deeply concerned about reports that the residences of certain United Nations staff members in Asmara were searched during a national service draft campaign conducted by Eritrean security forces on 4 and 5 November. Taken from the streets, schools, workplaces and homes, thousands of men were reportedly arrested over that period without warrants. It is further reported that on the night of 4 November a riot broke out between detainees and prison guards at Adi Abieto prison camp, on the outskirts of Asmara. As a result of the incident, a number of people were reported to be seriously injured. Further reports allege arbitrary and incommunicado detentions, deaths in custody and the unknown whereabouts of certain individuals. Altogether, more than 50 UNMEE staff members have been arrested and detained since the beginning of 2004. Seven are still unaccounted for.

28. UNMEE has continued to receive requests, mainly from Ethiopia, to conduct human rights promotional and training activities and has also received support

recently from Eritrean local authorities in Assab in that respect. In response to those initiatives, I encourage the implementation of technical cooperation projects.

VII. Public information

29. UNMEE public information activities were continued through video productions, radio programmes, the monthly newsletter and weekly press briefings. The Mission experienced some complications with the Eritrean Ministry of Information over the printing of the UNMEE newsletter, which resulted in delayed printing and circulation. In addition, UNMEE has had difficulty getting its programmes, especially its television outputs, aired on the national broadcaster in Asmara. I, therefore, appeal to the Government of Eritrea to facilitate UNMEE public information activities, so that the Eritrean public can benefit from programmes conveying Mission messages.

30. In the meantime, public information activities through Outreach Centres in Ethiopia continued. On 29 October, UNMEE opened its new Outreach Centre in Adigrat.

VIII. Financial aspects

31. The General Assembly, by its resolution 58/302 of 18 June 2004, appropriated $198.3 million, equivalent to $16.5 million per month, for the maintenance of UNMEE for the financial period from 1 July 2004 to 30 June 2005. Should the Security Council decide to extend the mandate of UNMEE beyond 15 March 2005, the cost of maintaining the Mission would be limited to the amount approved by the General Assembly. As at 31 July 2004, unpaid assessed contributions to the special account for UNMEE amounted to $50.6 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $2.4 billion.

IX. Observations

32. I am encouraged by the parties' continued commitment to the provisions of the Agreement on Cessation of Hostilities of June 2000 (S/2000/601), manifested in the relative military stability in the border area and regular meetings of the Military Coordination Commission. UNMEE has continued to play an important role in contributing to that situation, and the Mission has received satisfactory cooperation from the two sides. Having said that, serious improvement is still required. It is essential that neither party should undertake any activities that could undermine the integrity of the Temporary Security Zone or otherwise jeopardize the fragile and relative stability that has prevailed thus far. I look forward to receiving a response to my letter addressed to President Isaias of 5 November, in which I requested his personal intervention for the resolution of certain matters relating to UNMEE daily operations. The letter also raises the vital issue of the security of United Nations staff, which requires an urgent solution.

33. The possible consequences of a protracted stalemate in the peace process between Ethiopia and Eritrea remain a source of serious concern, both in terms of

stability on the ground and as a matter of precedence. In my statement at the opening of the General Assembly in September of this year, I highlighted the importance of the rule of law, at home as well as abroad. However, I also noted that rule of law as a mere concept is not enough. Laws must be put into practice; treaties and agreements must be respected and implemented.

34. In that regard, I note Ethiopia's stated intention to resolve the dispute with Eritrea only through peaceful means, to pay its dues to the Boundary Commission and to appoint field liaison officers. I welcome any step that may contribute to the full implementation of the 2000 Algiers Agreement and the subsequent decision of the Boundary Commission, the initiation of dialogue between Eritrea and Ethiopia and the willingness to address the root causes of the conflict as well as to normalize bilateral relations, actions whose combined impact could contribute in a major way to the economic and social development of both countries and the whole region. I encourage the Government of Ethiopia to formally initiate implementation of its proposal through the Boundary Commission, in accordance with the requisite procedures. In the meantime, I call upon both parties to refrain from any action in the border area that could be viewed as provocative or destabilizing, and caution against any assumption, which would be misplaced, that these problems can be peacefully resolved by creating facts on the ground.

35. While the parties themselves are responsible for the implementation of their peace agreement, as indicated in several Security Council resolutions, the international community has an interest in and responsibility for helping them bring the peace process to a conclusion. My good offices, through my Special Envoy, Lloyd Axworthy, will continue to be available to assist the parties to that end. The effectiveness of conflict resolution and rule of law requires the international community as a whole, and in particular Member States that are directly involved in the process, to uphold international agreements and obligations. I encourage all international partners to intensify their endeavours in helping the parties reach their final destination in the peace process, which will positively affect the lives of millions of people in Eritrea and Ethiopia and the whole region. In the meantime, I urge donors to continue to support humanitarian efforts in the two countries to alleviate the daily hardship on large segments of the populations.

36. In conclusion, I would like to express my gratitude to my Special Representative, Mr. Legwaila Joseph Legwaila and to the civilian and military UNMEE personnel for their continued commitment and hard work. Furthermore, I would like to thank my Special Envoy, who is preparing to work with the parties towards the conclusion of the peace process, as well as all the Mission partners, including the United Nations country teams and humanitarian agencies, the African Union and other international organizations, for the support they continue to lend to the peace process.

nnex I

Eritrea-Ethiopia Boundary Commission: fifteenth report on the work of the Commission

1. This is the fifteenth report of the Eritrea-Ethiopia Boundary Commission, covering the period from 20 August to 1 December 2004.

2. As indicated in its fourteenth report, the Commission has, regrettably, and for reasons beyond its control, been unable to make progress with its demarcation activities during the period covered by this report.

3. However, the Commission received on 7 December a letter from the Legal Counsel to the Federal Democratic Republic of Ethiopia, dated 6 December, in which he stated that, at the instruction of the Government of Ethiopia, he was writing "to convey to the Commission information on the Government's most recent initiative for resolving the dispute between Ethiopia and Eritrea". The letter continued:

> "On November 25, the Prime Minister of Ethiopia, His Excellency Meles Zenawi, gave a major address to the House of Peoples' Representatives (Federal Parliament) regarding the peace process and, after discussion, the House adopted the five-point peace proposal presented by the Prime Minister.
>
> "The Government of Ethiopia has asked that I inform the Commission that on the basis of paragraph (4) of the five-point peace proposal its outstanding dues will be paid immediately. In addition, Ethiopia's liaison officers will be appointed promptly from a list of candidates now being considered. Their names and information regarding their background will be transmitted to the Commission as specified in the Commission's order of 7 July 2003."

4. The decision of the House of Peoples' Representatives on the five point proposal for resolving the dispute between Ethiopia and Eritrea has been submitted to the Secretariat.

5. The Commission has not as yet received notice that either of the steps announced has been completed. When this has happened, the Commission will promptly consider how best to resume the demarcation process.

6. As noted in its earlier reports, the Commission, in keeping with its commitment to continue its work in the manner foreseen in the Algiers Agreement, has maintained its presence in the area, but has reduced its activity to the minimum compatible with its being able to resume it as soon as it becomes possible for it to do so. The Commission has maintained its field offices in both capitals, but with reduced staff. It had, even before the receipt of the latest communication from the Government of Ethiopia, extended until the end of January 2005 the period the field offices are being kept open. This period will, of course, be extended as the needs of the situation may require.

(*Signed*) Sir Elihu **Lauterpacht**
President of the Commission

8 December 2004

Annex II

United Nations Mission in Ethiopia and Eritrea: contributions as at 1 December 2004

Country	*Military observers*	*Troops*	*Staff*	*Total*	*National support elements*
Algeria	8			8	
Australia			2	2	
Austria	2		1	3	
Bangladesh	7	167	4	178	
Benin			0	0	
Bosnia and Herzegovina	9			9	
Bulgaria	5		2	7	
China	7			7	
Croatia	7			7	
Czech Republic	2			2	
Denmark	4			4	
Finland	7	167	11	185	
France			1	1	
Gambia	4			4	
Ghana	12		6	18	
Germany	2			2	
Greece	3			3	
India	8	1 523	21	1 552	
Iran (Islamic Republic of)	3			3	
Italy		57	1	58	8
Jordan	7	947	12	959	
Kenya	12	668	13	691	
Malaysia	4		4	8	
Namibia	4		1	5	
Nepal	4			4	
Nigeria	7		3	10	
Norway	5			5	
Paraguay	3			3	
Peru	3			3	
Poland	6			6	
Romania	8			8	
Russian Federation	6			6	
Spain	3		2	5	
South Africa	5		2	7	

Country	*Military observers*	*Troops*	*Staff*	*Total*	*National support elements*
Sweden	5			5	
Switzerland	4			4	
Tunisia	2		3	5	
Ukraine	6			7	
United Republic of Tanzania	8		3	11	
Uruguay	5	33	3	41	
United States of America	6			6	
Zambia	10		3	12	
Total	**213**	**3 562**	**98**	**3 864**	**8**

United Nations S/2004/973/Corr.1

Security Council

Distr.: General
27 December 2004

Original: English

Progress report of the Secretary-General on Ethiopia and Eritrea

Corrigendum

Page 9

Replace annex I by the text appearing on the reverse of this sheet

04-66577 (E) 271204

Annex I

Eritrea-Ethiopia Boundary Commission: fifteenth report on the work of the Commission

1. This is the fifteenth report of the Eritrea-Ethiopia Boundary Commission covering the extended period 20 August to 14 December 2004.

2. As indicated in its fourteenth report, the Commission has, regrettably, and for reasons beyond its control, been unable to make progress with its demarcation activities during the period covered by the present report.

3. However, the Commission received on 7 December a letter from the Legal Counsel to The Federal Democratic Republic of Ethiopia, dated 6 December, in which he stated that, at the instruction of the Government of Ethiopia, he was writing "to convey to the Commission information on the Government's most recent initiative for resolving the dispute between Ethiopia and Eritrea". The letter continued:

> "On November 25, the Prime Minister of Ethiopia, His Excellency Meles Zenawi, gave a major address to the House of Peoples' Representatives (Federal Parliament) regarding the peace process and, after discussion, the House adopted the five-point peace proposal presented by the Prime Minister.
>
> The Government of Ethiopia has asked that I inform the Commission that on the basis of paragraph (4) of the five-point peace proposal its outstanding dues will be paid immediately. In addition, Ethiopia's liaison officers will be appointed promptly from a list of candidates now being considered. Their names and information regarding their background will be transmitted to the Commission as specified in the Commission's order of 7 July 2003."

4. The decision of the House of Peoples' Representatives on the five-point proposal for resolving the dispute between Ethiopia and Eritrea has been submitted to the Secretariat.

5. The Commission has not yet received the payment of the outstanding dues, though it has been informed that this is on the way. Regarding the appointment of the Field Liaison Officers, the Commission received on 10 December a letter dated 9 December, informing it of the appointment by Ethiopia of four Field Liaison Officers. As the relevant Demarcation Directions require the appointment of not more than two Field Liaison Officers by each party, accompanied by up to date CVs, and states that the nomination of a Field Liaison Officer does not become effective until the required information has been forwarded to the Commission and the other Party, the Commission, on 13 December, requested Ethiopia to clarify these matters.

6. The Commission, having transmitted the Ethiopian letter to Eritrea and requested its comments, received on 13 December a letter dated 10 December from the Legal Adviser to the Office of the President of the State of Eritrea, referring to Ethiopia's non-compliance with "important outstanding obligations" relating to the removal of illegal settlements from Eritrean territory and stating that "it is incumbent upon Ethiopia immediately to express unconditional respect for the work of the Boundary Commission, including full acceptance of the 13 April 2002 Award". The text of the Eritrean letter has also been submitted to the Secretariat.

7. As noted in its earlier reports, the Commission, in keeping with its undertaking to continue its work in the manner foreseen in the Algiers Agreement, has maintained its presence in the area but has reduced its activity to the minimum compatible with its being able to resume it as soon as it becomes possible for it to do so. The Commission has maintained its Field Offices in both capitals but with reduced staff. It had, even before the receipt of the latest communication from the Government of Ethiopia, extended until the end of January 2005 the period for which the Field Offices are being kept open. This period will, of course, be extended as the needs of the situation may require.

8. The Commission will promptly consider the situation arising from the two letters mentioned above.

(*Signed*) Sir Elihu Lauterpacht CBE QC
President of the Eritrea-Ethiopia Boundary Commission

14 December 2004

United Nations S/2004/973/Add.1

Security Council

Distr.: General
27 December 2004

Original: English

Progress report of the Secretary-General on Ethiopia and Eritrea

Addendum

Annex I

Eritrea-Ethiopia Boundary Commission: fifteenth report on the work of the Commission

04-66694 (E) 301204

Enclosure I

Letter dated 6 December 2004 from the Legal Counsel to the Federal Democratic Republic of Ethiopia addressed to the President of the Eritrea-Ethiopia Boundary Commission

I write today, at the instruction of the Government of Ethiopia, to convey to the Commission information on the Government's most recent initiative for resolving the dispute between Ethiopia and Eritrea.

On 25 November, the Prime Minister of Ethiopia, His Excellency Meles Zenawi, gave a major address to the House of Peoples' Representatives (Federal Parliament) regarding the peace process and, after discussion, the House adopted the five-point peace proposal presented by the Prime Minister.

The Government of Ethiopia has asked that I inform the Commission that on the basis of paragraph (4) of the five-point peace proposal, its outstanding dues will be paid immediately. In addition, Ethiopia's liaison officers will be appointed promptly from a list of candidates now being considered. Their names and information regarding their background will be transmitted to the Commission as specified in the Commission's order of 7 July 2003.

I have also enclosed herewith the five-point peace proposal and the statement delivered by Prime Minister Zenawi to the House of Peoples' Representatives of the Federal Democratic Republic of Ethiopia on this same day, 25 November 2004 (see appendix).

(*Signed*) B. Donovan **Picard**
Legal Counsel to the Federal Democratic Republic of Ethiopia

Appendix

Decision on the five-point proposal for resolving the dispute between Ethiopia and Eritrea

The House of Peoples' Representatives of the FDRE having discussed in detail the five-point peace proposal submitted to it by H.E. Prime Minister Meles Zenawi;

Realizing that the desire for sustainable peace of the peoples of Ethiopia and Eritrea can only be achieved when the present no war no peace situation is replaced with a lasting and durable peace between the two countries;

Cognizant that the resolution of all disputes between neighboring countries by peaceful means only and through negotiation is the only guarantee for lasting peace and for promoting mutual interests;

Reiterating Ethiopia's conviction which remains unchanged that the decision of the Eritrea-Ethiopia Boundary Commission was flawed, but nonetheless realizing that nothing is more important than the achievement of lasting peace between the two countries; and

Convinced that the establishment of a lasting peace between the two countries will make significant contribution for making the Horn of Africa a peaceful region;

Has hereby adopted the following five-point peace proposal.

1. Resolve the dispute between Ethiopia and Eritrea only and only through peaceful means.
2. Resolve the root causes of the conflict through dialogue with the view to normalizing relations between the two countries.
3. Ethiopia accepts, in principle, the Ethiopia-Eritrea Boundary Commission decision.
4. Ethiopia agrees to pay its dues to the Ethiopia-Eritrea Boundary Commission and to appoint field liaison officers.
5. Start dialogue immediately with the view to implementing the Ethiopia-Eritrea Boundary Commission's decision in a manner consistent with the promotion of sustainable peace and brotherly ties between the two peoples.

25 November 2004

Enclosure II

Letter dated 10 December 2004 from the Legal Adviser to the Office of the President of the State of Eritrea addressed to the President of the Eritrea-Ethiopia Boundary Commission

The Boundary Commission's Registry recently informed Eritrea that a copy of Prime Minister Meles Zenawi's new "Peace Proposal" had been forwarded to it by Ethiopia. The only peace plan that the Commission is mandated to implement, however, is the Algiers Agreement of 12 December 2000, which created the Commission.

Prime Minister Meles has repeatedly informed the Ethiopian people and the international community that his "five-point peace proposal" is an alternative to the 13 April 2002 Eritrea-Ethiopia Boundary Commission Award, not an agreement to honour it as written. In a 3 December 2004 Reuters interview published under the headline *Ethiopia agrees to demarcate **most** of border* (emphasis added), the Prime Minister reiterated his demand to alter all portions of the Award to which Ethiopia cannot agree:

> "On the so-called 85 per cent of the boundary (with Eritrea), we have said all along that we don't have any objection and it can be demarcated straight away", Meles told resident diplomats in Addis Ababa in a briefing session attended by reporters.
>
> "Meles said disagreement over the remaining 15 per cent of the border could be solved through dialogue with Eritrea, which went to war with Ethiopia between 1998-2000".[1]

In a 7 December 2004 interview with the *Ethiopian Herald*, reprinted by Walta Information Centre, the Prime Minister once more condemned the 13 April 2002 Award and demanded its alteration:

> "We have reiterated that the decision passed by the Commission does not bring about peace. Any attempt to implement the decision unaltered could undermine the peace between the two countries, which is precarious and not yet dependable. Accordingly, we suggested a proposal for dialogue and negotiation to reach a solution ... [T]he international community realized that the implementation of the decision of the Boundary Commission might undermine the peace between the two countries ..."[2]

Although the Boundary Commission may be heartened to learn that Ethiopia is considering paying its share of the tribunal's expenses, Ethiopia's proposal says nothing about considerably more important outstanding obligations. Ethiopia has not complied with the Commission's 17 July 2002 Order to remove illegal settlements from Eritrean territory, an order that was explicitly endorsed by the Security Council on 14 August 2002 and 6 September 2002. Nor has it complied with Security Council resolutions calling on the parties to refrain from moving populations into affected areas.

---

[1] *Ethiopia agrees to demarcate most of border*, Reuters (3 December 2004).

[2] *Meles says the new peace initiative will bring about lasting and durable peace between Ethiopia and Eritrea, Ethiopian Herald*, reprinted by Walta Information Centre (7 December 2004).

It is incumbent upon Ethiopia immediately to express unconditional respect for the work of the Boundary Commission, including full acceptance of the 13 April 2002 Award. Ethiopia must withdraw its troops from Eritrean territory and cooperate fully with expeditious demarcation of the boundary.

(*Signed*) Lea **Brilmayer**
Legal Adviser to the Office of the President
State of Eritrea

United Nations S/2004/974

Security Council

Distr.: General
16 December 2004

Original: English

Letter dated 14 December 2004 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the statement by the President of the Security Council of 19 October 2004, in which the Council requested that I report to it every six months on the implementation of resolution 1559 (2004).

To enable me to fulfil the Council's mandate effectively, I have decided to appoint Terje Roed-Larsen as my Special Envoy for the implementation of Security Council resolution 1559 (2004) at the level of Under-Secretary-General. In carrying out this task, on a when actually employed basis, Mr. Roed-Larsen would consult with the Government of Lebanon and other interested Member States to assist in the preparation of my semi-annual reports to the Council on the implementation of resolution 1559 (2004).

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-65144 (E) 161204

United Nations S/2004/975

Security Council

Distr.: General
16 December 2004
English
Original: French

Letter dated 16 December 2004 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 14 December 2004 (S/2004/974) concerning your decision to appoint Mr. Terje Roed-Larsen of Norway as your Special Envoy for the implementation of Security Council resolution 1559 (2004) has been brought to the attention of the members of the Council. They took note of your intention and the information contained in your letter.

(*Signed*) Abdallah **Baali**
President of the Security Council

04-65138 (E) 161204 161204

United Nations S/2004/976

Security Council

Distr.: General
17 December 2004
English
Original: French

Letter dated 16 December 2004 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the Accra III Agreement on Côte d'Ivoire concluded on 30 July 2004 in Accra, to the statement by the President of the Security Council of 5 August 2004 (S/PRST/2004/29) and to my letters dated 16 August 2004 (S/2004/667), 3 September 2004 (S/2004/716), 20 September 2004 (S/2004/748), 6 October 2004 (S/2004/800), 29 October 2004 (S/2004/878) and 2 December 2004 (S/2004/944) concerning the monitoring of the Agreement.

Please find attached the eighth report of the Tripartite Monitoring Group established under the Accra III Agreement, covering the period from 16 to 30 November 2004 (see annex).

I should be grateful if you would bring this letter and its annex to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-65310 (E) 271204 271204

Annex

[Original: English]

Implementation of the Accra III Agreement

Eighth report of the Monitoring Group covering the period from 16 to 30 November 2004

I. Introduction

1. The present report is prepared pursuant to the Accra III Agreement of 30 July 2004, which requested the Tripartite Monitoring Group to submit fortnightly reports on the situation in Cote d'Ivoire and on the progress made towards the implementation of the Accra III Agreement. This report covers major developments in the peace process between 16 and 30 November 2004.

II. Overview

2. The aftermath of the events of 4 to 8 November 2004 continued to overshadow developments in the period under review. The general military and security situation calmed down with appeals from President Gbagbo to the Nation, from the new military command of FANCI, France, the European Union, ECOWAS and the African Union, in particular the intervention of the Mbeki mission of 9 November 2004 and the AU mini summit of 14 November 2004 in Abuja. The UN Security Council Resolution 1572 (2004) adopted on 15 Nove.nber 2004 with its arms embargo had sent a clear and strong message on the threat to peace and international security in Cote d'Ivoire.

3. The changes at the national military hierarchy and the announcement of further changes continued to feed speculations about the state of the National defence and security forces and its likely impact on the implementation of the DDR programme and the restructuring of the Armed Forces, as envisaged under the Linas-Marcoussis Agreement. Relations between FANCI and FAFN are at their nadir for obvious reasons. The mistrust generated in Franco-ivorian relations, in particular the bilateral defence arrangements, has also cast a long shadow over military cooperation within the Quadripartite Commission. The state of consultations within that Commission is now reduced to dialogue between FANCI and ONUCI.

4. The reports of the continuing mediation by President Thabo Mbeki appeared to be the only hope in the horizon of some way out of the peace process seriously jeopardized by the military hostilities involving FANCI and LICORNE. Consequently, in spite of any scepticism, the visit of President Mbeki to Cote d'Ivoire scheduled for 2 to 6 December 2004 on the third segment of his mediation is awaited with some hope.

Military and security situation

5. The overall military situation astride the Zone of Confidence in both sectors and in Abidjan had calmed down and remained stable. Although tension still prevailed both in political and military circles due to the uncertain prospects of peace in the foreseeable future. However, all sides have displayed reasonable restraint and were adhering to the cessation of hostilities. In Danane and Touba in the West of the country, Forces Nouvelles were put on alert following rumours of attacks by mercenaries from Guinea and Liberia.

6. In Abidjan and on both sides of the Zone of Confidence, the security situation had gradually returned to normal though remained tense and unpredictable. Offices, banks and schools had re-opened. Groups of Young Patriots, now in smaller numbers, were still erecting and manning several checkpoints at various locations in Abidjan around the National Radio and Television (RTI) and the President's residence in Cocody. Hostile demonstrations mounted against French nationals were frizzling out. On 23 November, LICORNE forces, whose presence in Abidjan had been strengthened since the recent crisis, had pulled back from certain key locations. ONUCI forces continued to conduct regular patrols in Abidjan.

III. Developments in the peace process

7. On 20 and 21 November 2004, President Mbeki of South Africa met in Pretoria with Prime Minister Seydou Diarra and with the Secretary-General of Forces Nouvelles, Guillaume Soro, to discuss the restoration of political dialogue in Cote d'Ivoire.

8. On 18 November, the Council of Ministers met for the first time since the outbreak of hostilities on 4 November. PDCI Ministers were present at the meeting, while RDR Ministers sent their representatives and FN Ministers did not attend. The meeting

considered some draft legislative reforms envisaged by the Linas-Marcoussis Agreement, including those related to the indemnity for the victims of war and the creation of a National Commission for Identification. President Gbagbo reiterated his intention to find interim replacements for Ministers who boycotted meetings of the Council of Ministers. In a statement read by his spokesman on the National Radio and Television network (RTI) following the adoption of Security Council Resolution 1572 (2004) of 15 November 2004, President Gbagbo assured the United Nations that he would do nothing to hinder the peace process and invited the organisation to apply the Resolution on sanctions with "the same rigour" to the rebels.

9. The eight (8) Ministers from the Forces Nouvelles (except MPIGO) continued to boycott the meetings of the Council of Ministers presided over by President Laurent Gbagbo. The Forces Nouvelles had reiterated their demand for the resignation of President Gbagbo to enable the peace process to progress. They also cited security reasons for their inability to participate in those meetings. As an interim arrangement, the portfolios of the Ministers were assigned to other Ministers.

10. It was against this background that the National Assembly opened the deliberations of its second ordinary session on Monday 29 November 2004. The proceedings were devoted to draft legislative texts envisaged in the Linas-Marcoussis Agreement. On Tuesday 30 November 2004, the Commission on Institutions and General Affairs of the National Assembly adopted the draft legislation on the Independent Electoral Commission by a close vote of 19 for and 17 against. The voted text was expected to be submitted to the plenary session of the National Assembly for final approval by 17 December 2004. The text allocated three seats to the Forces Nouvelles as against two seats demanded by each of the three constituent movements signatory to the Linas-Marcoussis Agreement. It also expands membership of the Bureau of the Commission from five to eight. Participation of FN representatives is limited to the work of the Commission at the national level.

11. In a major development, the Democratic Party of Cote d'Ivoire (PDCI) announced its agreement for the amendment to Article 35 to be submitted to a referendum. The lack of consensus on procedures to be adopted in the amendment of that constitutional provision constitutes a major obstacle in the peace process.

The Second Ordinary Session of the National Assembly is scheduled to close on 17 December 2004.

12. Following a crisis meeting held on 22 November, as a result of widespread destruction and looting of businesses, the President of the Commerce Chamber, Jean-Louis Billon estimated the losses at some 14 billion FCFA, and stated that 30,000 people would become jobless. He said that 125 of the 500 businesses representing 25% of foreign and domestic investment, as well as 50% of CDI tax income had closed shop. The Ivorian Minister of Finance and Economy announced that businesses would be exempted from paying taxes until further notice. This came against the background of an economy that has been showing growing signs of weaknesses. According to recent statistics, 85% of job seekers are persons between the ages of 15 and 35 years old.

13. From 26 to 27 November 2004, the Tenth Summit of *Francophonie* took place in Ouagadougou (Burkina Faso). On the crisis in Cote d'Ivoire, the Summit adopted a final declaration reaffirming its concern over the severe deterioration of the situation and called for the implementation of the Linas-Marcoussis and Accra III Agreements.

Reaction of the International Community and UN Security Council Resolution 1572

14. An emergency mini summit of the African Union held in Abuja on 14 November 2004, condemned the violation of the cease-fire by the FANCI. It recommended an immediate arms embargo by the Security Council in its impending resolution on Cote d'Ivoire. In that Resolution 1572 (2004), the Security Council decided that all States shall, for a period of thirteen months from the date of adoption of this resolution, take necessary measures to prevent the direct or indirect supply, sale, or transfer to Cote d'Ivoire, from their territories or by their nationals, or using their flags vessels or aircraft, of arms or any related material, in particular military aircraft and equipment, whether or not originating in their territories, as well as the provision of any assistance, advice or training related to military activities.

15. The resolution also decided that all States shall, for the period of twelve months, prevent entry into or transit through their territories of all persons designated as constituting a threat to the peace and national reconciliation process

in Cote d'Ivoire, in particular those who block the implementation of the Linas-Marcoussis and Accra III Agreements. Furthermore, all States shall, for the period of twelve months, freeze immediately the funds, other financial assets and economic resources which are on their territories owned or controlled directly or indirectly by persons so designated.

16. The Tenth Summit meeting of *La Francophonie* (26-27 November 2004) held in Ouagadougou strongly endorsed UN Resolution 1572.

The European Parliament

17. The European Parliament was seized of the question of the Ivorian crisis. In its decision of 18 November 2004, the Parliament, *inter alia*, noted the unanimous adoption of Resolution 1572 by the UN Security Council and considering that the Government of Cote d'Ivoire violated the cease fire agreements on 4 November 2004, called on all parties to put an immediate end to all military action and other hostilities, to cease all attacks on civilians, particularly those working for humanitarian agencies irrespective of their nationality, ethnicity or religion, demanded an end to all appeals to hatred and violence and to renew dialogue and negotiations and for all parties to respect commitments undertaken. The European Parliament called for enhanced support of its member states for the United Nations peace mission in Cote d'Ivoire. It called on the European Council to look at the root causes of the Ivorian crisis, especially in the social and economic spheres and to support the deployment of peace troops by the African Union within the framework of its support for peace facility in the European Fund for Development.

The African Union Mediation

18. Since the adoption of Security Council Resolution 1572 (2004), the African Union, under the auspices of President Thabo Mbeki of South Africa, has continued to explore avenues to break the impasse over the implementation of the Linas-Marcoussis Agreement. Since his last visit to Abidjan on 9 November 2004, the South African President had received key representatives of the Ivorian political parties in Pretoria for consultations. Further, he dispatched his Minister of Defence, Lekato Mosioua, to Abidjan to continue consultations with protagonists in the Ivorian crisis to explore the way forward. President Mbeki was

due in Abidjan early in December to engage in a comprehensive round of mediation among Ivorian leaders and political actors.

Impact on neighbouring countries

19. The immediate consequences of current developments have been the deterioration of the security situation in the immediate sub-region and the escalation of humanitarian problems, particularly the increase in the flow of refugees across international frontiers. The refugee flow is mainly of displaced Ivorians into Liberia.

20. The resumption of armed hostilities immediately triggered the reserves of para-military forces and militias into battle mode. Many of these militias in the west of Cote d'Ivoire, who are based in Danane, Man and Guiglo and their environs, are composed of armed elements from Liberia and Sierra Leone. They are found across the spectrum of militia movements in Cote d'Ivoire who are motivated by different political goals and agenda. These include the Ivorian Front for the Liberation of the Great West (FLGO), which is pro Government and has the sympathy of their ethnic cousins in the Kran and Krou dominated Movement for Democracy in Liberia (MODEL), an offshoot of the Madingo dominated LURD. Armed elements of the Liberia LURD movement are reported to have teamed up with the remnants of the forces of Sierra Leonean Sam Bockarie's Revolutionary United Front (RUF), to boost the military operations of the Patriotic Movement of Cote d'Ivoire (MPCI), led by Guillaume Soro. These armed elements are based in Bouake and as far north of Cote d'Ivoire as the influence of the Forces Nouvelles permit. The Liberian elements in the Forces Nouvelles have been implicated in the leadership dissensions and skirmishes in the Movement. The implications of political developments in Cote d'Ivoire have thus been to trigger off the real threat of destabilization in the sub-region, particularly along the borders between Liberia and Sierra Leone and the borders between Cote d'Ivoire and Mali and Burkina Faso respectively.

IV. Humanitarian and Human rights developments

21. The aerial attacks by Ivorian forces, the reprisal attacks by LICORNE forces and the violent street demonstrations led to deaths, injuries and physical damage. The situation led to destitution among the international community who fled their homes

and were in some cases given immediate help by their various consular missions in Abidjan or, in many instances, by the LICORNE force and ONUCI. Many were eventually repatriated abroad. There were nationals who fled the immediate environment near military targets or for perceived lack of security, including uncertainties as to the immediate cause of the renewed fighting. Among them, significant numbers were known to have crossed into neighbouring states, particularly Liberia. A more worrisome dimension has been the displacement of old refugees from their camps which were close to the new theatres of the new conflict. The presence of many of these displaced refugees within the premises of ONUCI created a sense of urgency on how to manage the new humanitarian crisis that was developing around recent events in Cote d'Ivoire. In the face of the deteriorating security situation in their camps, many of the refugees expressed the wish to be repatriated back to Liberia.

22. There have been reports of massive violations of human rights in areas under the control of the Forces Nouvelles in what appears to be a general crackdown on those suspected to be sympathetic to the armed mission of FANCI. There were reported cases of systematic extortion of entire communities by the Forces Nouvelles. Several cases of human rights abuses throughout the country were reported with cases of arbitrary arrests, detention and forced disappearances of people accused of supporting President Gbagbo in the North.

23. Civil servants in the North have also been the target of harassment by the Forces Nouvelles and have been accused of bringing in arms or sharing sensitive information to support the FANCI attack. The security of civil servants is now a matter of serious concern. Civil servants stuck in the North are afraid to go to Abidjan to collect their salaries because of the numerous checkpoints and harassment. The further deployment of civil servants has been put on hold by the Government.

24. The Ivorian media has reported that 64 people were killed while over 1,000 had been wounded in the standoff between French Licorne and the Jeunes Patriotes in front of Hotel Ivoire. ICRC reported that they had assisted close to 3,000 people between 5 and 11 November in Abidjan, including 1,221 people in Cocody on 9 November alone. During the events of 9 November 2004, the Ivorian Red Cross Society reported having brought a total of 92 severely wounded people to hospitals in Abidjan. They further reported having encountered some difficulty in reaching the wounded and were, in some instances, attacked and threatened.

25. Water and electricity supplies were cut off to the Northern towns of Bouake, Korhogo and Man and the Western town of Guiglo from 4 to 12 November. International pressure was successfully applied to restore the supplies. The consequences of the electrical power outage in the North were of a major humanitarian concern. The lack of electricity and clean water increased the risk of epidemics and restricted the full operation of hospitals and health centres.

26. During the bombardments in Bouake, UNICEF continued to ensure the protection of former child soldiers under their charge at a demobilisation centre in Bouake.

27. The growing insecurity caused by the recent events and the open anti-foreigner sentiment has caused over 8000 western expatriates to leave Cote d'Ivoire for their home countries or to other West African countries.

28. An estimated 19,000 Ivorian refugees have fled to Liberia since the hostilities began. UNHCR has reported that the refugees have fled from areas within the West of Cote d'Ivoire including Bin Houye, Zouan Hounien, and Danane. The humanitarian community in Liberia has expressed deep concern over the influx of refugees in Liberia, as Liberia's own population was recovering from a protracted crisis. The international NGO, International Rescue Committee (IRC), reported that the eastern part of Liberia was particularly vulnerable; access was difficult due to bad infrastructure and less than 10% of the population had access to clean drinking water. UNHCR has said that if the situation deteriorated the refugees might have to be transported further into Liberia where humanitarian agencies might be in a better position to offer assistance.

V. Conclusion

29. The confusion and uncertainties in the overall political and social situation have scuttled any local initiatives to restoring dialogue among the Ivorian political actors. The only glimmer of cautious hope lies in the outcome of the on-going consultations by

President Thabo Mbeki and, in particular, his impending mission to Cote d'Ivoire in early December. In the prevailing circumstances, it becomes crucial that the concern and interest of the international community be fully invested in this important African Union initiative.

Signed on behalf of the Group

Ambassador Raph Uwechue
Chairman

1 December 2004

S/2004/977

Readex
Fiche

United Nations S/2004/977

Security Council

Distr.: General
17 December 2004

Original: English

Letter dated 10 December 2004 from the President of the Governing Council of the United Nations Compensation Commission addressed to the President of the Security Council

The Governing Council of the United Nations Compensation Commission has concluded its fifty-fourth session, which was held in Geneva from 7 to 9 December 2004.

During the opening plenary meeting of the fifty-fourth session representatives of Kuwait and Iraq addressed the Council. Their respective statements will be sent by mail with the original of the present letter.

During the session, the Council considered two reports and recommendations concerning parts one and two of the fourth instalment of "F4" environmental claims. The attached tables (see annex I) provide details of the amounts of compensation claimed in the reports and the amounts awarded by the Governing Council. The total amount awarded in the reports approved at this session is $2,906,694,267 United States dollars.

The Governing Council considered and took note of the report of the Executive Secretary: summary of activities, covering the period from 1 August to 31 October 2004, and the information note prepared by the secretariat containing an update on the report. The report covers the processing of claims, the withdrawal of claims and the payment of approved claims. The Council raised a number of questions in relation to the report, which were satisfactorily answered by the secretariat.

The Council discussed the arrangements for ensuring that payments are made into the Compensation Fund in the light of information provided by the secretariat. The Council requested the secretariat to provide further information concerning the mechanisms that are in place for ensuring payments are made into the Fund for the Council's consideration at its next session.

The Council reviewed several issues relating to the processing and payment of claims, including the twenty-eighth report of the Executive Secretary, pursuant to article 41 of the Provisional Rules for Claims Procedure, and approved corrections to certain category "A", "D" and "C" Palestinian late claims.

After considering the issue of duplication of awards, the Council recommended that the matter be kept on its agenda for further consideration at its next session.

04-65284 (E) 221204

The Council considered a number of issues relating to the "F4" environmental claims. After hearing an update from the secretariat concerning the current status and the amendment of the claims, the Council thanked the secretariat, took note of the information provided and requested the secretariat to continue to provide updates at future sessions of the Council.

The Government of Iraq made a request concerning compensability for interim environmental damages and the valuation of public health impacts by way of a note verbale and an accompanying letter, dated 16 August 2004, and during the presentations made by its delegation at the opening meetings of the fifty-third and fifty-fourth sessions. After further considering this matter, the Council requested the secretariat to continue to provide detailed briefings concerning the consideration by the "F4" panel of Commissioners of these issues.

The Council continued to consider the issue of the potential of some public availability of the environmental monitoring and assessment databank maintained by the United Nations Environment Programme (UNEP), which comprises information submitted by claimant Governments, in the light of two information notes prepared by the secretariat, dated 20 September and 2 December 2004. The Council requested the secretariat to continue its consultations with UNEP and referred this issue to a future informal meeting of the Working Group, to which UNEP was invited.

The Council continued to consider the issue of the non-use of the full amount of compensation awarded in the completion of the monitoring and assessment projects of the Government of Jordan and others, in the light of an information note prepared by the secretariat dated 2 December 2004. The Council recommended that its consideration of this matter be deferred pending the report of the "F4" panel of Commissioners on the matter, as part of the next panel report concerning the tracking progress of environmental monitoring and assessment projects compensated pursuant to Governing Council decision 132, that these issues be referred to a future informal meeting of the Working Group and that they remain on the Council's agenda.

Finally, the Council continued its consideration of the monitoring of the use of compensation awards in the light of: a request made by the Governments of Kuwait and Saudi Arabia relating to the panel's recommended remediation methods on the basis of which the Governing Council approved such awards; the letter from the Government of Iraq, dated 16 December 2003; the presentations made by the Government of Iraq at the opening plenary meeting of the fifty-third and fifty-fourth sessions; the presentation made by Kuwait at the opening plenary meeting of the fifty-fourth session; information received from the "F4" panel of Commissioners on this issue, including three suggested monitoring options; and an information note prepared by the secretariat dated 2 December 2004. The Council recommended that UNEP's possible involvement in monitoring the environmental remediation programmes of successful claimant Governments continue to be explored, and that this issue be referred to a future informal meeting of the Working Group. The Council also referred the request by certain Governments for guidance as to the use of compensation awards for environmental remediation programmes to a future informal meeting of the Working Group.

The Council continued to consider whether the special head of loss, set out in Governing Council decision 218, should apply to 10 claims of deceased persons

from the Islamic Republic of Iran and Saudi Arabia found to be eligible for filing by the "D1" panel of Commissioners pursuant to decision 12. The Council also considered an information note prepared by the secretariat on this issue, dated 15 October 2004. The Council requested the secretariat to continue its efforts to obtain further information from the Governments of the Islamic Republic of Iran and Saudi Arabia concerning the 10 claims, and that such information should be submitted to the secretariat by 17 January 2005. The Council referred this issue to a future informal meeting, for the Working Group's further consideration of the information received from the Governments concerning the claims, and decided that the panel of Commissioner's consideration of the claims should be deferred, pending the Working Group's further discussion of the claims.

The Council heard a presentation by the secretariat concerning the current status of the claims of the bedoun and considered two issues raised in an information note prepared by the secretariat dated 2 December 2004. With respect to the first issue raised the Council agreed with the view expressed by the panel of Commissioners that anyone who has filed a claim with the Commission in any claims programme, including other late claims programmes, should not be permitted to participate in the bedoun claims programme. With respect to the second issue raised, the Council decided that the panel of Commissioners should be permitted to exercise its discretion to permit a representative of the claimant to file the claimant's claim, should the panel determine that such representation is warranted.

After considering the issue as to whether claims for corporate losses could be filed under decision 12 in the light of information provided by the secretariat, the Council decided that, given the circumstances of the claims, such corporate claims were ineligible for filing under decision 12.

The Council was provided with further information with regard to the processing of the deceased detainee claims that were accepted for filing by the Council at its fiftieth session in December 2003. At that time the Council had recommended that the Government of Kuwait should file a single claim for each of the 605 detainees for all losses personally suffered by them. The Council concurred that, consistent with the instructions for claimants on the category "C" and "D" claim forms, each such single claim for a deceased detainee may include losses submitted on either category "C" or "D" claim forms, to be reviewed by the "D1" panel of Commissioners in accordance with the established evidentiary standards for each category of claims.

The Council also heard a progress report from the secretariat on the processing of the "Canadian criteria" late claims that were accepted for filing from nationals of a number of Governments by the Council at its fifty-first session in March 2004. The Council concurs that, with respect to claims filed by the Government of Pakistan (with a total number of around 891 claims), claimants living in Pakistani administered Jammu and Kashmir or in areas affected by the flooding of the Jhelum and Chenab Rivers in 1992 in the Punjab province are eligible to file claims; and that with respect to claims filed by the Government of Philippines (with a total number of around 309 claims), claimants who were either residing in Mindanao or in all other regions affected by the Mount Pinatubo volcanic eruption, including Central Luzon, are eligible to file claims with the Commission, in accordance with the March 2004 decision of the Governing Council. The Council also requested the secretariat to continue to provide information on the processing of these claims.

Following its consideration of the report of the Executive Secretary on the distribution of payments and transparency, and the return of undistributed funds, the Council took note of the report and requested the secretariat to continue to inform the Council of the reports of Governments and international organizations on the distribution of payments and the return of undistributed funds.

The Council also further considered four payment related issues. With respect to the exchange rates used for claims payment by the Government of Bangladesh, the Council further considered an information note prepared by the secretariat, dated 15 October 2004, and requested the President of the Governing Council to send a letter to the Government of Bangladesh conveying the Council's position that Governments should not deduct more than the 1.5 per cent fee for the payment of individual claims as stated in Governing Council decision 18. The Council also referred this issue to a future informal meeting of the Working Group.

The Council considered an updated information note prepared by the secretariat, dated 10 November 2004, concerning the Government of Egypt's non-compliance with respect to details in its payment distribution reports, and decided that a delegation from the Government of Egypt should be invited to attend a future informal meeting of the Working Group to discuss the issue of its payment distribution report.

With respect to the non-compliance by three Governments with the requirements of decisions 18 and 48, the Council considered the updated information note prepared by the secretariat, dated 15 November 2004, and also decided in this case that the Governments in question be invited to attend a future informal meeting of the Working Group to discuss the issue of compliance with the requirements of decisions 18 and 48.

Finally, the Council considered the updated information note prepared by the secretariat, dated 10 November 2004, concerning unlocated claimants and set the date of 30 September 2006 as an indicative date for the final location and payment of claimants. The Council also referred this issue to an informal meeting of the Working Group, and decided to keep it on the Council's agenda.

The Council continued its consideration of interest on awards of compensation and claims preparation costs and discussed draft Council decisions concerning the two issues. The Council referred these matters to a future informal meeting of the Working Group and decided to keep them on its agenda.

At the request of one delegation, the Council discussed the filling of the second Office of Internal Oversight Services (OIOS) audit post at the P-4 level in the United Nations Compensation Commission, which is due to be filled as of 1 January 2005. The Council took note of the letter of the Executive Secretary of the Compensation Commission to the Under-Secretary-General for Internal Oversight Services, dated 6 December 2004, in which the Executive Secretary requested OIOS to reconfirm its undertaking to carry out its audits of the UNCC in conformity with the memorandum of understanding between the Compensation Commission and OIOS (dated 13 June 2003), with particular reference to paragraph 4 of the memorandum.

The Executive Secretary, with reference to the discussions held at the meeting of the Committee on Administrative Matters, informed the Council of his intention

to fill the second audit post as of 1 January 2005, as approved by the Committee at its fifteenth meeting, in its decision dated 16 December 2003.

With respect to the OIOS audit of part two of the third instalment of "F3" claims, the Council considered an information note on the issue and decided that, pending the submission of the final audit report on part two of the third instalment of "F3" claims by OIOS, this matter should remain on its agenda.

The Council also asked the secretariat to convey to the secretariat of the Security Council the request of the Governing Council for the translation of the report of the Board of Auditors on the financial statements of the Compensation Commission for the biennium 2002-2003, and kept the consideration of the report on its agenda.

The Council gave preliminary consideration to the phasing-out of the Compensation Commission in the light of an information note prepared by the secretariat, dated 11 November 2004 and decided to keep this matter on its agenda.

The Council took note of the report of the Committee on Administrative Matters to the Governing Council (S/AC.26/2004/R.38), detailing the discussions and outcome of its seventeenth meeting, held in Geneva on 16 November 2004, to discuss proposed amendments to the budget of the Executive Secretary for the biennium 2004-2005. A copy of the report will also be sent with the original of the present letter.

After considering the issue of the payment of an award to a directly submitted claim in the light of an information note prepared by the secretariat, dated 6 December 2004, the Council referred the matter to an informal meeting of the Working Group.

Finally, the Governing Council decided to hold a special session to elect a new President and one new Vice-President of the Council in January 2005 and to hold its fifty-fifth session from 8 to 10 March 2005.

To date, the Commission has awarded compensation of approximately $51.8 billion, including the awards approved in the fifty-fourth session, and approximately $18.8 billion of the amounts awarded have been made available to Governments and international organizations for distribution to successful claimants in all categories of claims. The payments to successful claims approved by the Council at the fifty-fourth session will be made in the next round of payments, in accordance with Governing Council decision 227, scheduled to take place on 13 January 2005. On 30 November 2004 the balance of the Compensation Fund was approximately $310.8 million.

(*Signed*) Ambassador Michael **Steiner**
President of the Governing Council

Annex I

Summary of recommendations

A. Report and recommendations made by the panel of Commissioners concerning part one of the fourth instalment of "F4" claims (S/AC.26/2004/16)

Country	*Number of claims recommended for payment*	*Number of claims not recommended for payment*	*Amount of compensation claimed (United States dollars)*	*Amount of compensation recommended (United States dollars)*
Iran (Islamic Republic of)	1	-	2 484 623 699	188 760
Jordan	-	1	136 761 897	nil
Kuwait	2	-	729 020 720	4 152 411
Saudi Arabia	2	-	11 315 164 493	625 146 707
Syrian Arab Republic	-	1	1 634 619 154	nil
Turkey	-	1	5 269 165	nil
Total	**5**	**3**	**16 305 459 098**	**629 487 878**

B. Report and recommendations made by the panel of Commissioners concerning part two of the fourth instalment of "F4" claims (S/AC.26/2004/17)

Country	*Number of claims recommended for payment*	*Number of claims not recommended for payment*	*Amount of compensation claimed (United States dollars)*	*Amount of compensation recommended (United States dollars)*
Kuwait	1	-	6 799 491 526	2 277 206 389

Annex II

Documents before the Governing Council at its fifty-fourth session

1. Report and recommendations made by the panel of Commissioners concerning part one of the fourth instalment of "F4" claims (S/AC.26/2004/16).
2. Decision concerning part one of the fourth instalment of "F4" claims (S/AC.26/Dec.234 (2004)).
3. Report and recommendations made by the panel of Commissioners concerning part two of the fourth instalment of "F4" claims (S/AC.26/2004/17).
4. Decision concerning part two of the fourth instalment of "F4" claims (S/AC.26/Dec.235 (2004)).
5. Twenty-eighth report of the Executive Secretary pursuant to article 41 of the Provisional Rules for Claims Procedure (S/AC.26/2004/18).
6. Decision concerning corrections of awards pursuant to article 41 of the Provisional Rules for Claims Procedure (S/AC.26/Dec.236 (2004)).

United Nations S/2004/978

Security Council

Distr.: General
20 December 2004

Original: English

Letter dated 13 December 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the extension of the detention of Aung San Suu Kyi issued by the Presidency on behalf of the European Union on 10 December 2004 (see annex).

I would be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Dirk Jan **van den Berg**
Permanent Representative of the Kingdom
of the Netherlands to the United Nations

04-65724 (E) 211204

Annex to the letter dated 13 December 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement on the extension of the detention of Aung San Suu Kyi, issued on 10 December 2004 by the Presidency on behalf of the European Union

The European Union condemns the continued detention of Daw Aung San Suu Kyi and regrets that although a small number of political prisoners have been released, a large number remain in detention.

The European Union recalls its earlier position in this matter that, in order to improve its relations with the European Union, the Government of Burma/Myanmar should take the following steps:

(a) The immediate release of Daw Aung San Suu Kyi and all political prisoners;

(b) The participation of NLD and other democratic parties and all ethnic groups in the National Convention, the resumption of which has been announced for February 2005;

(c) The resumption of the National Convention with genuine and open debate for all participants.

The European Union continues to urge the Government of Burma/Myanmar to grant without further delay to the United Nations Secretary-General's Special Envoy for Burma/Myanmar, Razali Ismail, and to the United Nations Special Rapporteur, Paulo Sérgio Pinheiro, complete, free, unrestricted access to Burma/Myanmar.

The European Union welcomes the findings of the ASEAN parliamentarians on Burma/Myanmar in Kuala Lumpur of 28 November 2004 and encourages the Governments and parliamentarians of the ASEAN countries to keep monitoring the situation in Burma and to continue to work with the regime to promote democracy.

The candidate countries Bulgaria, Croatia,* Romania and Turkey, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.

* Croatia continues to be part of the stabilization and association process.

United Nations S/2004/979

Security Council

Distr.: General
21 December 2004

Original: English

Note by the President of the Security Council

I have the honour to transmit a letter dated 17 December 2004 from the Chairman of the Informal Working Group of the Security Council on General Issues of Sanctions addressed to the President of the Security Council (see annex).

04-65565 (E) 211204

Annex

Letter dated 17 December 2004 from the Chairman of the Informal Working Group of the Security Council on General Issues of Sanctions addressed to the President of the Security Council

You may recall that by a note by the President of the Security Council, dated 29 January 1999 (S/1999/92), the members of the Council adopted 20 practical proposals to be used to improve the work of sanctions committees in accordance with resolutions concerned.

The members of the Security Council also agreed to continue their consideration of ways to improve the work of the sanctions committees. Moreover, you may recall that in a subsequent note by its President, dated 17 April 2000 (S/2000/319), the Council authorized the establishment, on a temporary basis, of an informal working group of the Council to develop general recommendations on how to improve the effectiveness of United Nations sanctions. According to the above note, the informal working group should benefit from all available sanctions expertise, including being briefed, on a case-by-case basis, by appropriate experts. It should examine, inter alia, the following issues in all aspects with a view to improving the effectiveness of sanctions:

(a) Working methods of sanctions committees and inter-committee coordination;

(b) Capacity of the United Nations Secretariat;

(c) Coordination within the United Nations system and cooperation with regional and other international organizations;

(d) Design of sanctions resolutions, including the conditions for the maintaining/lifting of sanctions;

(e) Pre- and post-assessment reports and the ongoing evaluation of sanctions regimes;

(f) Monitoring and enforcement of sanctions;

(g) Unintended impacts of sanctions;

(h) Humanitarian exemptions;

(i) Targeted sanctions;

(j) Assisting Member States in implementing sanctions;

(k) Implementation of the recommendations of the note by the President of 29 January 1999 (S/1999/92).

Under the leadership of the first Chairman of the Informal Working Group of the Security Council on General Issues of Sanctions, Ambassador Anwarul Chowdhury (Bangladesh), the Working Group commenced discussions in May 2000 followed by more than 25 subsequent meetings. At many of these meetings, experts with different areas of expertise were invited to brief the Working Group on relevant issues. This dialogue resulted in a number of valuable and useful suggestions. Work commenced on a draft non-paper, entitled "Chairman's Proposed Outcome," which

attempted to identify ways in which the effectiveness of sanctions authorized by the Council might be improved.

Under the chairmanship of my predecessor, Ambassador Martin Belinga-Eboutou (Cameroon), the Working Group held several formal and informal meetings in order to continue the consideration of ways to improve the use of sanctions by the Security Council. Specific attention was paid to a number of pending issues, as identified by Ambassador Chowdhury in his report to the Security Council of 16 February 2001, on which consensus among members of the Working Group was not reached. In spite of all efforts, it was not possible to reach an overall agreement on these matters. Ambassador Eboutou briefed the Security Council accordingly on 18 December 2003, and to this effect the report of the Group was issued on 22 January 2004 (see S/2003/1197).

It is worthwhile to stress that since the establishment of the Working Group, the above referenced draft non-paper has undergone 10 major revisions in an attempt to reach consensus among the members of the Working Group on how best to improve the effectiveness of sanctions authorized by the Security Council. Disagreements among members concerning a very limited number of key principles, in particular the time-limitation and duration of sanctions, have prevented finalization of the document. The latest draft version of the "Chair-man's Proposed Outcome" (Rev.10) dated 26 September 2002, contains 65 recommendations elaborated by the Working Group in the process of implementation of its mandate. Interested parties may review the "Chair-man's Proposed Outcome" (Rev.10) on the Working Group's web site (located at: http://www.un.org/Docs/sc/committees/sanctions/index.html).

Most delegations favoured the continuation of the discussions of the Working Group based on the "Chairman's Proposed Outcome" (Rev.10) in order to take advantage of the results of the extensive work and negotiations that had taken place since the establishment of the Working Group in 2000.

At least one delegation was of the view that the draft non-paper is outdated, since, in the wake of events of 11 September 2001, it fails to address the Security Council's use of sanctions as a key policy tool in international efforts to combat the threat posed by global terrorism, particularly in the area of terrorism finance. Moreover, many of the recommendations contained in the draft non-paper have already been put into practice.

You may further recall that in the note by the President of the Security Council, dated 8 January 2004 (S/2004/5), the Council members agreed that I shall serve as Chairman of the Working Group for the period ending 31 December 2004. After a thorough analysis of the situation with the Secretariat, and in an attempt to transcend the deadlock, I engaged in extensive bilateral consultations with members of the Council and with delegations of those countries that have, by generating various reports and studies, contributed to discussions on sanctions reform, as well as with relevant academic institutions.

As a result, in 2004, the Working Group held three informal meetings to seek ways to advance its work. Among the key issues on which consensus has not been reached have been the duration of sanctions, the question whether sanctions should be, in principle, time-limited or not, the related issue of lifting sanctions and the way to address the concerns of third States adversely affected by sanctions. New

proposals have been developed by the Chairman in an attempt to address the main issues of divergence, and those proposals are still under consideration.

After thorough discussion and assessment of the practice of the Security Council in the use of sanctions, the Working Group came to the conclusion that many of the recommendations identified during its previous discussions and highlighted in the above outcome document, coupled with ideas advanced at the Interlaken, Bonn-Berlin and Stockholm processes, have resulted in tangible and concrete changes during the past several years. These changes have affected both the manner in which the Council now develops and authorizes sanctions regimes, as well as the day-to-day work of the Subsidiary Organs Branch of the Security Council.

In sections A through E below, I seek to bring to your attention a number of these improvements in order to underscore the important contributions already made by the Working Group, through its numerous prior discussions, towards enhancing the effectiveness of sanctions authorized by the Security Council.

A. Administration of sanctions and the work of sanctions committees of the Security Council

- Individual sanctions committees have begun to encourage dialogue between Member States and the committees, including through the participation of Member States in committee meetings;
- Individual sanctions committees have increasingly begun to seek reports from Member States, in particular from those located near the target State, on steps that they are taking to implement the measures imposed by the Security Council;
- Individual sanctions committees benefit from the support of monitoring expert bodies, which assist them in monitoring and assessing the implementation of sanctions and provide them with technical advice. These bodies also brief the committees and regularly submit reports. Many sanctions committees are also briefed by national experts, relevant international, regional and subregional organizations and United Nations agencies in areas related to sanctions;
- Certain sanctions committees, such as the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, have held public briefings to inform other States of the work of the committees and to advise them on committee procedures, for instance on the addition to and removal of names from lists maintained by the committees;
- Chairmen of sanctions committees have increased their efforts to coordinate working methods of their respective committees in order to improve the overall effectiveness of their work. Many sanctions committees have held informal joint meetings to explore possible areas for common action;
- Chairmen of sanctions committees have made a number of visits to the regions concerned and have continued to meet with representatives of individual Member States to explain the work of their respective committee and to inquire into what steps have been taken by the State visited to implement the

measures imposed by the Security Council and to identify needs of States for technical or any other assistance in implementation of the sanctions.

B. Work of the Subsidiary Organs Branch of the Security Council

- The Subsidiary Organs Branch of the Security Council has enhanced its capacity to provide more effective support to the existing Security Council sanctions committees in their administration of the sanctions regimes;
- The Branch has established a roster of outside experts who have been called upon to work for various monitoring expert bodies authorized by the Security Council in order to assist the sanctions committees with monitoring and assessing the implementation of sanctions and provide technical advice;
- The Branch has set up web sites providing access for States, as well as the public, to relevant sanctions committee documentation and information, as determined by each committee;
- The Branch has assisted specific sanctions committees and working groups in the development of a database to compile and coordinate information gathered by relevant monitoring bodies on reported sanctions violations as well as on steps being taken by Member States to implement the measures authorized by the Council.

C. Cooperation with relevant international, regional and subregional organizations

- Representatives of international organizations and agencies with expertise in sanctions compliance activities, such as Interpol, have begun to meet with specific sanctions committees, such as the Committee established pursuant to Security Council resolution 1267 (1999), to discuss ways in which Member States may improve the implementation of sanctions measures while not adversely affecting innocent individuals and untargeted entities. Relevant information is transmitted to the international organizations concerned.

D. Improving the design of sanctions regimes

- Recent Security Council resolutions authorizing the establishment of sanctions regimes have included language that clearly and carefully specifies the conditions to be met by the target State(s) before restrictive measures will be modified or removed;
- As situations change, such as in the case of Liberia, sanctions regimes have been modified and redefined based upon new legal bases, in order to reflect changed circumstances on the ground in relation to threats to international peace and security;
- In relevant cases, the Security Council has sought an assessment of the possible humanitarian impact of measures it has authorized, with a view to minimizing the unintended negative consequences of such measures;

- Current sanctions regimes authorized by the Security Council include exemption provisions authorizing individual committees to determine whether exemptions should be granted on the basis of medical, humanitarian or other considerations, such as the needs of peacekeeping operations;

- Arms embargoes often provide for exemptions for supplies of non-lethal military equipment intended solely for humanitarian and protective use or related purposes. The Security Council often requires prior notification of, or approval by, the relevant sanctions committee in relation to such supplies.

E. Improving the implementation of sanctions

- Sanctions committees, as well as the monitoring expert bodies assisting them, have begun to assess more extensively the written reports submitted by individual Member States concerning the steps they have taken to implement sanctions measures mandated by the Security Council;

- In the case of the Democratic Republic of the Congo, the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) has been tasked by the Security Council, in conjunction with its other duties, to report on sanctions violations. In the case of Liberia, the Council has welcomed the readiness of the United Nations Mission in Liberia to assist the Liberia Sanctions Committee in monitoring, inter alia, the arms embargo;

- Various monitoring expert bodies have succeeded in collecting more information on the implementation of sanctions and have increasingly brought to the attention of the members of the Security Council and to other Member States specific sanctions violations and instances of non-compliance;

- Various assessment reports of different monitoring expert bodies include recommendations for improving the implementation of sanctions and their effectiveness as well as for mitigating their unintended impacts;

- Relevant international, regional and subregional organizations are encouraged to assist States that request assistance in the implementation of sanctions.

Mr. President, as is clear from the examples provided above, a wide range of tangible improvements in the design, implementation and administration of sanctions regimes have been prompted by the ideas and proposals discussed and considered by members of the Informal Working Group of the Security Council on General Issues of Sanctions.

Nevertheless, a number of issues concerning the Security Council's use of sanctions as a fundamental policy tool need further review and assessment by the members of the Working Group. New global threats to peace and security will continue to demand new and innovative policy responses by the Security Council.

Given the importance of the discussions among members of the Working Group in identifying and highlighting areas for improvement, the Security Council may wish to consider favourably an extension of the Working Group's mandate and to refine the Group's objectives in order that it may serve as a working-level forum for informal, interactive dialogue mandated to consider recommendations to improve the Council's evolving use of sanctions and to address ongoing threats to international peace and security. Issues, including those listed below, may be

addressed by the Working Group, including, as appropriate, with the consensus of the members, in an open dialogue with interested Member States, as well as with international, regional, intergovernmental and other relevant organizations:

- Improving cooperation between sanctions committees, monitoring bodies and regional organizations, as well as assessing the possibility of reporting by regional organizations as an alternative to the reporting by individual States;
- Duration and lifting of sanctions;
- Assessment of the unintended impact of sanctions and ways to assist affected untargeted States;
- Improving national implementation of sanctions;
- Enforcement of targeted sanctions, especially sanctions such as assets freezes or travel bans targeting individuals or entities;
- De-listing procedures in relation to the implementation of targeted sanctions and the legal consequences of de-listing;
- Secondary sanctions against States violating sanctions;
- Improving archives and databases in the Secretariat, including the roster of experts.

(*Signed*) Joël W. **Adechi**
Chairman of the Informal Working Group of the
Security Council on General Issues of Sanctions

United Nations A/59/627–S/2004/980

General Assembly
Security Council

Distr.: General
20 December 2004

Original: English

General Assembly
Fifty-ninth session
Agenda item 29
Question of Cyprus

Security Council
Fifty-ninth year

Letter dated 16 December 2004 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 9 November 2004 to you (A/59/564-S/2004/893), I have the honour to draw your attention to new violations of the flight information region (FIR) of Nicosia and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded on 10, 12, 13, 15, 16, 17, 18, 19, 20, 23, 24, 27 and 30 November and 1, 2, 3, 6, 7, 8, 14 and 15 December 2004, as follows.

On 10 November 2004, two C-130 and one Cougar Turkish military aircraft entered the FIR of Nicosia, carrying out a total of seven violations of international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The first C-130 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Lefkoniko, from where it departed, in a reverse direction. On the same day, the same Turkish military aircraft entered again the FIR of Nicosia, flying over the occupied area of Mesaoria, before landing at the illegal airport of Lefkoniko, from where it departed on the same day, towards the FIR of Ankara;

(b) The second C-130 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of Nicosia, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day, towards the FIR of Ankara;

(c) The Cougar Turkish military aircraft took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, flying over the occupied area of Morfou, before landing in the pocket area of Kokkina, from where it departed again, towards the illegal airport of Krini.

04-65578 (E) 211204

On 12 November 2004, 11 NF-5 Turkish military aircraft coming in three formations, 1 C-130 Turkish military aircraft and 1 Turkish military aircraft of unknown type entered the FIR of Nicosia, carrying out a total of eight violations of international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The formations of NF-5 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Lefkoniko;

(b) The C-130 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Lefkoniko, from where it departed, in a reverse direction. On the same day, the same Turkish military aircraft entered again the FIR of Nicosia, flying over the occupied area of Mesaoria, before landing at the illegal airport of Lefkoniko, from where it departed on the same day, towards the FIR of Ankara;

(c) The Turkish military aircraft of unknown type took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, flying over the occupied area of Kyrenia, before landing at the same airport.

On 13 November 2004, one B-200 Turkish military aircraft entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day, in a reverse direction.

On 15 November 2004, 13 NF-5 Turkish military aircraft coming in two formations (1X5 and 1X8) and 2 Cougar Turkish military aircraft, carried out a total of three violations of the international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The first formation (1X5) of NF-5 Turkish military aircraft took off from the illegal airport of Lefkoniko, violating the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the same airport;

(b) The second formation (1X8) of NF-5 Turkish military aircraft took off from the illegal airport of Lefkoniko, violating the national airspace of the Republic of Cyprus, flying over the occupied area of Kyrenia, before landing at the same airport;

(c) The two Cougar Turkish military aircraft took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, flying over Nicosia in a northerly direction, before landing at the same airport.

On 16 November 2004, one B-200 Turkish military aircraft entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day in a reverse direction.

On 17 November 2004, 11 NF-5 Turkish military aircraft coming in five formations (4X2 and 1X3), 2 C-130 Turkish military aircraft and 1 C-160 Turkish military aircraft, carried out a total of 12 violations of the international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The formations of NF-5 Turkish military aircraft took off from the illegal airport of Lefkoniko, violating the national airspace of the Republic of Cyprus, before exiting towards the FIR of Ankara;

(b) The first C-130 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Lefkoniko, from where it departed towards the FIR of Ankara. On the same day, the same Turkish military aircraft entered again the FIR of Nicosia, flying over the occupied area of Mesaoria, before landing at the illegal airport of Lefkoniko, from where it departed again, in a reverse direction;

(c) The second C-130 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Lefkoniko;

(d) The C-160 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day towards the FIR of Ankara.

On 18 November 2004, one C-130 Turkish military aircraft took off from the illegal airport of Lefkoniko, violating the national airspace of the Republic of Cyprus, before exiting towards the FIR of Ankara. On the same day, the same Turkish military aircraft entered again the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Lefkoniko, from where it departed towards the FIR of Ankara.

On 19 and 20 November 2004, one Turkish military aircraft of unknown type and one CN-235 Turkish military entered the FIR of Nicosia and carried out a total of three violations of the international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The Turkish military aircraft of unknown type took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, before departing towards the FIR of Ankara;

(b) The CN-235 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day towards the FIR of Ankara.

On 23 November 2004, two Turkish military aircraft of unknown type carried out a total of three violations of the international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The first Turkish military aircraft of unknown type took off in the morning hours and again in the evening hours from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, flying over the occupied areas of Kormakitis, Morfou and Kioneli, before landing at the same airport;

(b) The second Turkish military aircraft of unknown type coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, before landing at the illegal airport of Krini.

On 24 November 2004, one C-130 Turkish military aircraft and one Turkish military aircraft of unknown type, carried out a total of three violations of the international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The C-130 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou. It departed on the same day towards Turkey;

(b) The Turkish military aircraft of unknown type took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, flying over the occupied area of Morfou and the pocket area of Kokkina, before landing at the same airport.

On 27 November 2004, four Turkish military aircraft of unknown type carried out a total of four violations of the international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The two aircraft took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, before exiting towards the FIR of Ankara, from where they returned and landed at the same airport;

(b) The third aircraft took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, before exiting towards the FIR of Ankara, from where it returned and landed at the same airport;

(c) The fourth aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day in a reverse direction.

On 30 November 2004, two F-4 Turkish military aircraft coming in one formation from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations.

On the same day, two F-4 Turkish military aircraft coming in one formation from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and national airspace of the Republic of Cyprus.

On 1 December 2004, eight F-4 Turkish military aircraft coming in three formations (2X2 and 1X4) and one C-130 Turkish military aircraft entered the FIR of Nicosia, in a total of five violations of the international air traffic regulations and three violations of the national airspace of the Republic of Cyprus, as follows:

(a) The first formation (1X2) of F-4 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations, before exiting towards the FIR of Ankara;

(b) The second formation (1X4) of F-4 Turkish military aircraft coming from a westerly direction entered the FIR of Nicosia, violating the international air traffic regulations, before exiting towards the FIR of Ankara;

(c) The third formation (1X2) of F-4 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Kyrenia, before exiting towards the FIR of Ankara, from where it re-entered the FIR of Nicosia, then exiting again towards the FIR of Ankara;

(d) The C-130 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it later departed towards the FIR of Ankara.

On 2 December 2004, two F-4 Turkish military aircraft coming in one formation from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations.

On 3 December 2004, four F-4 Turkish military aircraft coming in one formation from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations.

On 6 December 2004, two F-4 Turkish military aircraft coming in one formation and one C-130 Turkish military aircraft, carried out a total of two violations of international air traffic regulations and one violation of the national airspace of the Republic of Cyprus, as follows:

(a) The formation of F-4 Turkish military aircraft coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations, before exiting towards the FIR of Ankara;

(b) The C-130 coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou.

On 7 December 2004, one C-130 Turkish military aircraft took off from the illegal airport of Tymbou, violating the national airspace of the Republic of Cyprus, before exiting towards the FIR of Ankara.

On 8 December 2004, one C-130 Turkish military aircraft entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day towards the FIR of Ankara.

On 14 December 2004, one CN-235 Turkish military aircraft entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before

landing at the illegal airport of Tymbou, from where it departed on the same day towards the FIR of Ankara.

On 15 December 2004, one C-160 Turkish military aircraft and one Turkish military aircraft of unknown type carried out a total of three violations of the international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The C-160 coming from the FIR of Ankara entered the FIR of Nicosia, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the occupied area of Mesaoria, before landing at the illegal airport of Tymbou, from where it departed on the same day towards the FIR of Ankara;

(b) The Turkish military aircraft of unknown type took off from the illegal airport of Krini, violating the national airspace of the Republic of Cyprus, before departing towards the FIR of Ankara.

As repeatedly indicated in our previous communications, the aforementioned violations blatantly contravene international law and air traffic regulations and seriously endanger international civil aviation.

On behalf of the Government of the Republic of Cyprus, I strongly protest the above violations and call for their immediate cessation. The Government of Turkey should respect the sovereignty, independence and territorial integrity of the Republic of Cyprus and contribute to the creation of the required conditions for the achievement of progress with respect to the long-standing political problem in Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 29, and of the Security Council.

(*Signed*) Andreas D. **Mavroyiannis**